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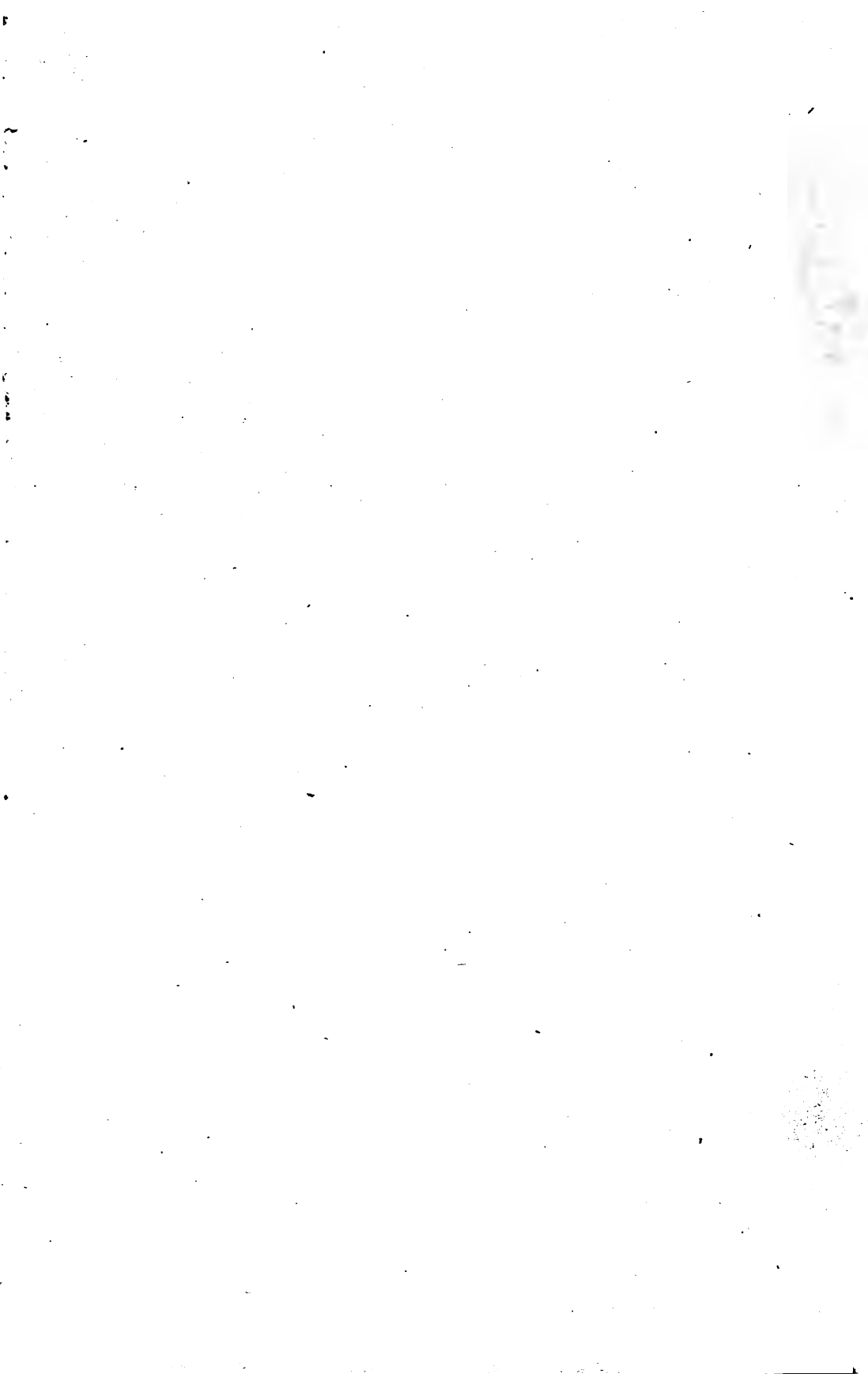
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THE

LAWS OF VERMONT, - Session

OF

A PUBLIC AND PERMANENT NATURE,

COMING DOWN TO, AND INCLUDING THE YEAR

1834.

COMPILED BY AUTHORITY OF THE LEGISLATURE,

BY DANIEL P. THOMPSON.

MONTPELIER:

KNAPP AND JEWETT, PRINTERS.

1835.

US12018.1.31

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COMPILER'S REPORT.

HIS EXCELLENCY, WILLIAM A. PALMER,

Governor of Vermont.

Sir—I herewith transmit to your Excellency a compilation of the laws of Vermont enacted since the year 1824, being the result of my labors under an appointment made by the Governor and Council in pursuance of an act passed November 2, 1833, and entitled “an act providing for the compiling and printing an additional volume of the laws of this State.” Presuming from the wording of the above named act that no alteration in the plan pursued in the former compilation was particularly contemplated by its framers as regards the present volume; and not perceiving, indeed, that any material improvement could be made in the arrangement of that very generally approved work, I have therefore adopted the same plan, and endeavored, as far as might be, to make this, in the main, a corresponding volume, having taken up the subjects in the same order, similarly divided them into chapters and numbers, and referred at the commencement of each to the corresponding chapter in the former compilation. The correspondence, however, between this and Mr. Slade’s compilation does not extend to the numbering of the chapters. This it will readily be perceived could not be done; since several of the first chapters of that work are taken up with subjects not immediately connected with the objects of a compilation, and which should not be inserted in a second volume; and since many of the subjects therein embraced have not since been acted on by the legislature. The present volume likewise contains several additional or miscellaneous chapters on matters never made subjects of legislative enactment till since 1824, such as the “Act for the relief of bail in certain cases”—“The act regulating the chartering of banks,” &c. I have also ventured to insert two chapters on subjects omitted in the former compilation:—one on the alteration of town lines, and the other on the alteration of the names of towns; believing them to be, if not of such a general nature as absolutely to come within the intention of the act authorizing this work, at least a matter often of very convenient reference, and therefore worthy a place in the compilation.

Together with all acts of a temporary nature, or of a local operation, I have omitted every entire act repealed during the period embraced in this volume, and the acts repealing them, when the latter were disconnected with other subjects; always retaining, however, all repealing acts which have reference to the former compilation.

A list of all acts repealed, or expired by their own limitation, since 1824, also a list of all public acts now in force and omitted from this compilation on account of their local or temporary nature, together with a list of all pri-

vate acts except the most private and temporary, will be found appended to the volume, accompanied with a list likewise of all entire acts which have been repealed during the period above mentioned, and which are embraced in the former compilation. These are designated, in the order I have named them, by the letters A., B., C., D.

Besides the marginal references printed with our pamphlet acts to note the contents of the several sections of the acts (to which references I have made occasional additions and alterations) I have inserted as full and frequent references, not only from one part to another of this volume, but also to the former compilation, as I have deemed necessary and useful.

The index to the volume, in which all such leading words as might occur to different individuals in searching for a subject, are inserted, and frequently several times repeated under different heads, the compiler trusts will be found sufficiently copious and convenient, for a ready and easy reference to any part of the work.

Yours, with due respect,

DANIEL P. THOMPSON.

Montpelier, Oct. 11, 1834.

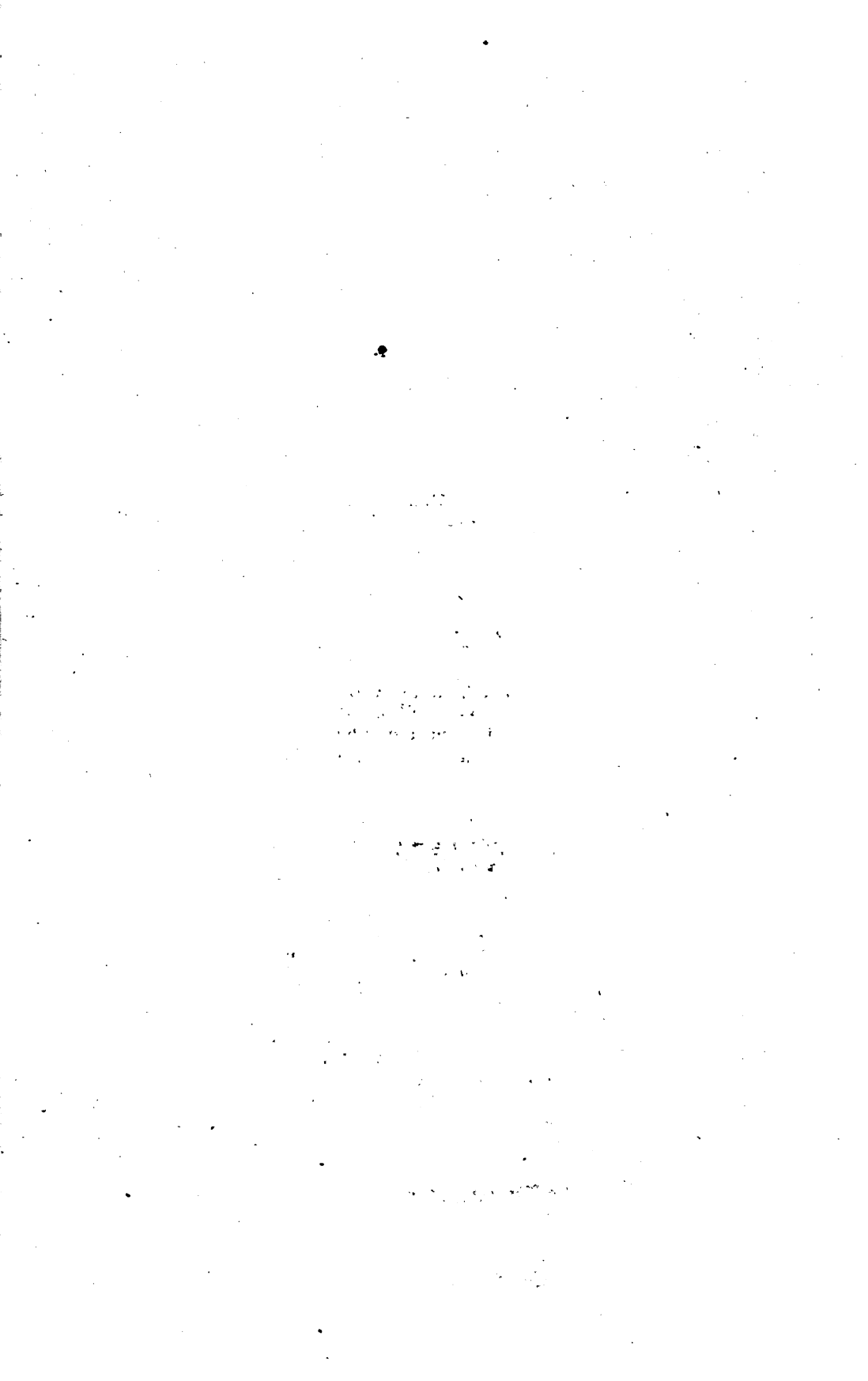
In General Assembly, Nov. 5, 1834.

Resolved, the Governor and Council concurring herein, that Daniel P. Thompson, Esq. be requested to compile the public acts of the present session, and add them to the volume compiled by him ; and that the secretary of state be directed to collate and compare the same with the original acts recorded in his office, affix his official signature thereto, and procure three thousand copies of the same to be printed and bound, and delivered at the state-house, at the expense of the state.

[Concurred Nov. 6, 1834.]

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CHAPTER I.

AMENDMENT OF THE CONSTITUTION OF VERMONT.

"Article of amendment to the constitution of the state of Vermont, proposed by the Council of Censors, on the 29th day of November, 1827."

ARTICLE 3. No person, who is not already a freeman of this state, shall be entitled to exercise the privileges of a freeman, unless he be a natural born citizen of this or some one of the United States, or until he shall have been naturalized agreeably to the acts of Congress.

STATE OF VERMONT.

*In Convention, at Montpelier, }
June 27th, 1828.*

The Convention having under consideration the third article of the amendments of the Constitution of this state, proposed by the Council of Censors, in the following words, viz :

"No person who is not already a freeman of this State, shall be entitled to exercise the privileges of a freeman, unless he be a natural born citizen of this, or some one of the United States, or until he shall have been naturalized agreeably to the acts of Congress :"

And having duly deliberated upon the same, said Convention have agreed and do hereby agree, ordain and resolve, that the same article, be, and hereby is adopted, and is become part of the Constitution of this State.

Which was read and concurred in.

(Signed,) WYLLYS LYMAN, *Secretary of Convention.*

CHAPTER II.

OF JUDICIAL PROCEEDINGS.

No. 1.

An Act, in addition to the several acts, constituting the Supreme and County Courts, and regulating judicial proceedings.

Corresponding to Slade's compiled Laws, Chapter 7.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That if any one, or two of the judges of the supreme court shall be interested in any action pending in said court, or shall have been counsel for either of the parties, or shall be related to either of the parties within the fourth degree of affinity or consanguinity, or shall be necessarily absent from court; in every such case, the remaining two judges of said court shall have power to hold the court for the hearing, trial, and determination of such action.*

Passed Nov. 7, 1825.

Two judges of supreme court empowered to try causes, in certain cases.

SEC. 2. — That no party, who has a right to review his action before the county court, shall carry the same to the supreme court for the hearing of any point therein without first waving such right of review.

*See No. 13.

Party carrying his cause to supreme court waves his right of review.

SEC. 3. — That no review shall be had in either of the cases in which a review is taken away by the third, fourth and fifth provisos to the third section of the act, entitled "an act, constituting the supreme court of judicature and county courts, defining their powers, and regulating judicial proceedings."

Right of review restricted.

SEC. 4. — That all appeals by virtue of the act to prevent forcible entry and detainer, and all appeals from the decision of commissioners on estates represented insolvent, shall be taken to the county court, instead of the supreme court.

Sundry appeals to be taken to county court.

SEC. 5. — That the fees of the sheriff, and clerk, for attending the county courts, and the costs of summoning, and the travel and attendance of the grand and petit jurors, before the county courts, shall be paid out of the state treasury; and all the fees received by the several clerks of the county courts, which have heretofore been paid to the county treasury, for entry and jury fees, shall, by such clerks respectively, be paid into the state treasury.

Regulation for payment of sundry fees.

SEC. 6. — That in all cases whatever, pending before the supreme court, if a jury trial become necessary, the same

Issue of fact in supreme court

to be tried by county court—verdict in certain case to be certified to supreme court.

shall be had before the county court, and if the county court has not jurisdiction to render judgment upon the verdict therein, the same shall be returned to the supreme court, next thereafter holden in the same county, duly certified, who shall render such judgment thereon as to law and justice appertains.

County clerk, &c. to give bonds, which may be taken before either judge of county court.

SEC. 7. — That each county clerk, in addition to the bonds now required by law, shall give bonds by way of recognizance to the treasurer of this state, and his successor in office, in the sum required by law for the clerk of the supreme court, each of which bonds, as also the sheriff's and high bailiff's bonds, may be taken by either judge of the county court, and such bond, so taken to the state's treasurer, or a certified copy thereof, shall, by the judge taking the same, be lodged with the clerk of the county court for said county, whose duty it shall be to record the same.

Clerk to record bonds.

Additional panel of jurors may be ordered for co. court.

SEC. 8. — That the judges of the county court may in their discretion, order the attendance of one additional panel of petit jurors at any session of such court.

Indictments to be presented to county courts.

SEC. 9. — That any law requiring the grand jury to present indictments to the supreme court, for offences cognizable before the county court, be, and the same hereby is, repealed; and all presentments of any common jail shall be made to the county court.

Masters in chancery may administer prescribed oaths.

SEC. 10. — That any master or commissioner in chancery, appointed by the court of chancery, shall have power to administer to every person, a party or witness, in any cause pending before said court, any such oath or affirmation, prescribed by the court, as may be necessary to give effect to the chancery powers of the said court.

Grand jury to be summoned at one term of county court in each county.

SEC. 11. — That a grand jury shall be summoned to attend the county court in each county, at the stated session thereof, holden next after the last day of April, in each year; and no grand jury shall be summoned to attend at any other session of said court, unless by virtue of a special order of said court, or one of the judges thereof.

Supreme court may appoint commissioners in cases appealed from probate court.

SEC. 12. — That the supreme court shall have power to appoint commissioners to take and report to the court the account or accounts of any executor or administrator in a case coming by appeal from the decision of a court of probate, and either of said commissioners may administer all necessary oaths on the examination of such accounts, and such report shall be subject to the opinion of the court, upon the facts exhibited by said commissioners in their report.

Duties of cl'ks in making returns, &c.

SEC. 13. — That it shall be the duty of the clerks of the several county courts to make returns to the treasurer of this state of all the suits and prosecutions in favor of the state, and of all orders drawn by the several county courts on the state's treasurer, and accounts of court and jury fees, received and paid out by them respectively, and perform all the duties relating to said suits and prosecutions in favor of the state, or state's

treasurer, that have heretofore been performed by the clerks of the supreme court; and shall be entitled to receive therefor the same fees allowed by law to the clerks of the supreme court for like services.

SEC. 14. — That the supreme court of judicature and court of chancery shall be holden at Burlington, within and for the county of Chittenden, on the last Monday of December in each year; at St. Albans, within and for the county of Franklin, on the first Monday of January in each year; at North-Hero, within and for the county of Grand-Isle, on the second Monday of January in each year; and at Danville, in the county of Caledonia, for the counties of Caledonia and Essex, on the sixth Monday next after the fourth Monday of January in each year—and so much of any law, as requires said supreme court and court of chancery to hold their sessions within said county of Essex, is hereby repealed.*

Sessions of supreme court in sundry counties.

*Times altered, see chap. 43, Nos. 1, 2 & 4.

SEC. 15. — That the county court shall be holden at Newfane, within and for the county of Windham, on the third Monday in April and the third Monday in September in each year; at Woodstock, within and for the county of Windsor, on the first Monday in June and the first Monday in December in each year; at Chelsea, within and for the county of Orange, on the third Monday in June and the third Monday in December in each year; at Burlington, within and for the county of Chittenden, on the last Mondays of March and August in each year; at St. Albans, within and for the county of Franklin, on the second Mondays of April and September in each year; and at North-Hero, within and for the county of Grand-Isle, on the fourth Mondays of April and September in each year.†

Sessions of county court in sundry counties.

†Times altered see chap. 43, Nos. 2, 3 and 4.

SEC. 16. — That so much of any law as requires said several courts mentioned in the fourteenth and fifteenth sections of this act, to sit in the several counties therein mentioned, at any other times than those therein described, is hereby repealed. And all complaints, informations, indictments, actions and suits, and every other matter or thing, in law or equity, now pending in, and all writs, appeals, recognizances, and every other matter or thing returnable to said courts, respectively, in said counties, named in said fourteenth and fifteenth sections of this act, shall be entered, heard and determined, at the times and places in this act named for said courts respectively to hold their sessions in said several counties; and all persons and parties, required by law to appear before either of said courts in the counties last aforesaid, or either of them, shall appear and have day in the same court, at the next term thereof, holden in the same county, according to the provisions of this act.

Part of former act relating to sessions of courts repealed.

Courts to take cognizance of all suits now pending or returnable.

SEC. 17. — That all petitions for new trials, in causes tried before any county court, shall be presented to, and determined by the supreme court, in the same county where such cause shall have been tried.

Supreme court to try petitions for new trials.

Time of attendance of grand and petit jurors.

SEC. 18. — That all grand and petit jurors hereafter required to attend before the respective county courts within this state, shall be summoned to attend said courts respectively, on the first day of the session thereof, at ten o'clock in the forenoon, unless otherwise specially ordered by the court, or judge, making such order; and the officer or officers, serving any venire, for grand or petit jurors, shall return the same to the clerk of the county court issuing the same, previous to the term of said court, to which the same is made returnable.

Venire to be returned previous to term of court.

Judge assigned to circuit being incapacitated, &c. any judge of supreme court may preside in such circuit.

SEC. 19. — That in case of the sickness, absence or incapacity, by reason of interest or otherwise, of any judge of the supreme court, to hold the county court in any circuit, for which he may be designated, or try any cause or causes, therein pending, any other judge of said supreme court may hold the court in any county in such circuit, or preside at the trial of any such cause or causes.

No. 2.

Passed November 8, 1825.

An Act, in explanation of an act, entitled "an act, in addition to an act, entitled an act, constituting the Supreme Court of Judicature and County Courts, defining their powers, and regulating judicial proceedings," passed November 11, 1814.

Privilege of habeas corpus extended to persons in liberties of prison,

It is hereby enacted by the General Assembly of the state of Vermont, That any person, who now is, or may hereafter be admitted to the liberties of any jail-yard, shall be entitled to the writ of *habeas corpus*, agreeably to the provisions of the act to which this is in addition and explanation.

No. 3.

Passed Oct. 25, 1826.

An Act, directing the Judges of the Supreme Court to adopt a uniform system of rules for the admission of Attornies at law.

Judges of supreme court to adopt rules for admission of attornies.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That it shall be the duty of the judges of the supreme court, hereafter, as soon as may be, to make, adopt and publish rules regulating the admission of attornies to the practice of law, before the several county courts and the supreme court, within this state, which rules shall be uniform and binding on the several county courts within this state.

Rules may be amended and published.

SEC. 2. — That the judges of the supreme court may, from time to time, alter and amend the rules for the admission of attornies to the several county courts and supreme court,

within this state, and that when any alteration or amendment shall be made, agreeably to the provision of this act, the rules shall be published, as altered or amended.

Provided, That any rules, made in pursuance of this act, shall not operate to the injury of any person who is now pursuing the study of law, under the existing rules of the county court, in any county in this state. Provide.

No. 4.

An Act, in addition to an act, entitled "an act, in addition to an act, entitled an act, constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings." Passed Nov. 2, 1826.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any coal or charcoal, subject to waste, by removal, shall be attached on mesne process or taken on execution, the officer serving such process may and he, hereby, is authorized to serve the same, in the same manner as is now provided, by law, for the service of such process on hay, or grain in the straw. Regulation in attachment of coal and charcoal.

No. 5.

An Act, in addition to the several acts, constituting the Supreme and County Courts and regulating judicial proceedings. Passed Nov. 4, 1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That all questions of law, decided by any county court, on the trial or hearing of any cause pending before such court, and placed upon the record, by the agreement of parties or the allowance and order of such county court, may pass to the supreme court for their decision, the same as questions of law, that arise on jury trials.* Questions of law to pass for decision from county to supreme court.

SEC. 2. — That whenever any cause, originally cognizable before the county court, shall have passed to the supreme court for their decision of any question of law, therein arising, and the same shall have been sent back from said supreme court, for trial or assessment of damages, such county court may proceed to try and render judgment in such action and award execution thereon. *See no. 12 for questions of law in criminal cases.

SEC. 3. — That no review shall be had, by either party, in any action tried before any county court, when such action shall have come to such court by appeal. County court to render judgment in certain cases.

No review of appealed actions in county court.

No. 6.

Passed Nov. 15,
1826.

An Act, supplementary to an act, entitled "an act in addition to an act, constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings," passed November 11, 1824.

Privilege of habeas corpus extended to those imprisoned for trespass in certain cases.

It is hereby enacted by the General Assembly of the state of Vermont, That any person, who may hereafter be imprisoned, by virtue of any execution, issuing from any justice of the peace, within this state, and a minute be inserted in, or endorsed and certified upon such execution, that the cause of action accrued from the wilful and malicious act or neglect of the defendant or defendants in such execution; and such defendant or defendants, on his or their complaint, shall, by a writ of *habeas corpus*, be brought before the supreme court of judicature, or any judge thereof, or any county court;—and if it shall appear that the minute inserted in, or endorsed and certified upon such execution, was erroneously or improperly made, such defendant or defendants shall be entitled to the same rights and privileges, as though no such insertion or certificate had been made.

No. 7.

Passed Nov. 9,
1826.

An Act, authorizing County Courts to take charge of County property and to audit accounts.

County court to take care of county property

It is hereby enacted by the General Assembly of the state of Vermont, That the county courts, in their respective counties, are hereby authorized and directed to take care of all the property, real and personal, in their respective counties, which belongs to such county; and the same to manage for the benefit of such county; and may order all necessary repairs to be made to county buildings, and audit and allow all accounts against such county, including the probate districts within their respective counties.*

To audit acc'ts.

*See no. 25 for partial repeal.

No. 8.

Passed Nov. 14,
1827.

An Act, in addition to an act, entitled "an act, in addition to an act, entitled an act, constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings."

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any ashes or brick shall be at-

tached on mesne process or taken on execution, the officer serving such process may, and hereby is, authorized to serve the same in the same manner as is now provided by law for the service of such process on hay or grain in the straw.

Regulation in attachment of ashes & brick.

No. 9.

An Act, relating to taking depositions.

Passed Nov. 14,
1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any deposition shall be taken, to be used in any court in this state, notice of the taking of said deposition shall be given to the adverse party, if living within thirty miles of the place of caption, in the same manner as is now provided by law.*

Notice to adverse party.

*See Slade's compiled laws, chap. 7, no. 1, section 81.

Provided nevertheless, That notice to the adverse party may be issued by the justice before whom said deposition is to be taken, or by any justice of the peace within this state, and the form of the notice, as now prescribed by law, may, when occasion requires, be so altered as to comport with this provision.

By whom issued and how given.

Provided also, That notice may be given, verbally, by the justice of the peace taking said deposition.

SEC. 2. — That the deposition of any person, living without this state, may be taken, to be used in any court in this state, notwithstanding such deponent may live within thirty miles of the place of trial; and the form of caption of such deposition may be so varied from that which is now prescribed by law, as to correspond with this provision.

Deposition may be taken where deponent lives within 30 miles and out of the state.

SEC. 3. — That no deposition, hereafter taken, without notice to the adverse party, shall be read as evidence, in any county or supreme court in this state, unless the same shall be filed in the office of the clerk of the court before which it shall be taken to be used, and shall there have been opened by said clerk and remained open and subject to the inspection of the adverse party, at least thirty days previous to the commencement of the session of the court before which the trial of the cause is to be had, in which such deposition taken is to be used.

Depositions taken without notice to be filed with clerk of court.

SEC. 4. — That this act shall not take effect until the first day of January next.

No. 10.

Passed Nov. 13, 1827. An Act, to provide for reporting the decisions of the Supreme Court of Judicature, and for other purposes.

Justices of supreme court to report their decisions.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That it shall be the duty of the justices of the supreme court to make true and authentic reports of all decisions, which may be made by said court, proper to be reported, as soon as may be after such decisions shall have been made, and on or before the first of October, in each year, furnish a true and correct copy of such reports to the secretary of state, subject to the order of the general assembly.

Additional salary.

*See chap. 22, no. 1.

Repeal of former acts.

†See Slade's compiled laws, chap. 7, no. 43.

SEC. 2. — That each justice of the supreme court shall, hereafter, receive in addition to the salaries heretofore allowed, by law, the sum of one hundred and twenty-five dollars annually.*

SEC. 3. — That all former acts, making provision for the reporting of the decisions of the supreme court, be and are, hereby repealed.†

No. 11.

Passed Oct. 29, 1828. An Act, in addition to an act, entitled "an act, constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings" passed November 18, 1824.

Supreme court to consist of five justices.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passing of this act, the supreme court of judicature, and court of chancery, of this state, shall consist of one chief justice, and four assistant justices, three of whom at least shall attend each session of the supreme court, and shall be a quorum to transact business.

No. 12.

Passed Oct. 30, 1828. An Act, in addition to an act, entitled "an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings."

Questions of law in criminal case may pass to supreme court.

*See no. 5.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,** That each and every question of law, decided in the county court, arising upon trial by jury, in a prosecution by indictment or information, for any crime or misdemeanor, may, after verdict of guilty is returned, if, upon consideration of the difficulty and importance of such question,

such court shall so direct, and not otherwise, be allowed and placed upon the record, and the same shall thereupon pass to the supreme court, for a final decision; and judgment, sentence and execution, shall, thereupon, be respited and stayed; and if, upon inspection of the record, the supreme court shall be of opinion that judgment ought to be rendered upon the verdict, such supreme court shall proceed to render such judgment and sentence, as to law and justice may appertain, and cause execution thereof to be done; otherwise the case shall be remanded to the county court for trial, or such judgment shall be thereon rendered by the supreme court as justice may require: but no writ of error shall be allowed, or review had, in any criminal case, prosecuted by indictment or information.

Proceedings in
supreme court.

No writ of er-
ror or review.

SEC. 2. — That in case any criminal cause shall be continued from term to term, or shall be removed to the supreme court, as specified in the first section of this act, such continuance or removal of such cause shall not operate to discharge any recognizance, which may have been entered into for the appearance of the person accused, but the neglect of such person to appear in court, when called, at any time before a final end of the prosecution, in either of the courts aforesaid, shall operate as a forfeiture of such recognizance.

Recognizance
not discharged
by continuance
or removal.

SEC. 3. — That whenever any person shall be in actual confinement in any jail in this state, by virtue of a complaint for any offence against the act entitled "an act for the punishment of certain capital and other high crimes and misdemeanors," the several county courts, at any term of said courts, whether stated or adjourned, shall have power and they are hereby authorized, on the application, in writing, of such person, in their discretion, to direct that an information be filed against such person, for the offence for which he stands charged, and on such information being filed, it shall be the duty of said courts, and they are, hereby, authorized to proceed in the trial of such person, in the same way and manner, as if an indictment had been presented by the grand jury.*

Information a-
gainst prisoner
may be filed at
stated or adj'd
term.

SEC. 4. — That the supreme court shall have the like power to direct such information to be filed, and on the same being filed, the said supreme court shall have power to receive and record a plea of guilty and award sentence thereon, and to proceed in the trial of all questions of law, arising upon such information.

*See no. 31 for
provision rela-
tive to inferior
crimes.

Information
filed in supreme
court.

SEC. 5. — That if upon the filing of such information the respondent shall plead not guilty, or any other plea upon which an issue of fact shall be joined, the said information with a certificate of the proceedings thereon, shall be sent down to the next county court within said county and be there tried in the manner pointed out in the first section of this act.

On plea of not-
guilty case to
be sent to co.
court.

Provided, That the three last sections of this act shall not extend to any crime for which the punishment, prescribed by law, is death.

Proviso.

No. 13.

Passed Oct. 30,
1829. An Act, in addition to an act, entitled "an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings."

Two judges
may try causes
in supreme
court in certain
cases.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever a session of the supreme court shall be holden by three judges only, and any one of the judges, so attending, shall be interested in any action pending in said court, or shall have been counsel therein, or shall be related to either of the parties, within the fourth degree of affinity or consanguinity, the remaining two judges, present in court, shall have power to hear, try and determine such action.

Judgment of
justice of peace
by default, &c.
may be revised
by county
court.

SEC. 2. — That whenever any judgment shall be rendered by any justice of the peace, by default, and the party, against whom such judgment is rendered, has been deprived of his day in court, by fraud, accident, or mistake, or has been otherwise wrongfully and unjustly deprived of a hearing, in such action, or in the assessment of damages therein, and manifest injustice has been done; or whenever an appeal, from the judgment of any justice of the peace, shall be illegally refused, the county court, in the county in which any such judgment shall be rendered, may, on the petition of the party aggrieved, if preferred at the first or second stated session of said court, after the rendition of such judgment, and a certified transcript of the record of such judgment is produced and filed in said court, at discretion, and on such terms and conditions as said court shall judge reasonable, reverse and set aside such judgment, and proceed to hear, try and determine such action and make all necessary orders therein, in the same way and manner as if said action had been brought to said court by appeal.

Regulation for
issuing and service
of citation.

Provided, That no such petition shall be sustained unless the same, together with a citation annexed thereto and signed by the chief judge of said court, shall be served on the adverse party, in the same manner as original writs are, by law, served, at least twelve days before the session of the court to which such petition is preferred; nor unless the facts set forth in such petition, shall have been verified by oath, before the issuing of such citation.

Recognizance
required.

Condition.

Provided also, That the judge, signing such citation, shall take sufficient security, by way of recognizance, conditioned that if the petitioner shall fail to prosecute his application to effect, or finally to recover in said action, he shall pay to the adverse party all intervening damages and costs, which shall accrue to him, in any way by reason of such petition being preferred; and if execution shall have been sued out, on such judgment, and the judge, from a consideration of the facts, set forth in such petition, and sworn to, as aforesaid, shall be of opinion that the execution ought to be superseded, he may, in

his discretion, order a *supersedeas* thereof, and a stay of all proceedings thereon, until a final decision shall be made on such petition; and if execution shall not have been issued, such judge may order that the same shall not be issued, during the pendency of such petition.

Execution may be superseded.

SEC. 3. — That the certificates, in writing, hereafter made, by witnesses, showing their travel and attendance, agreeably to the eighty-seventh section of the act aforesaid, shall be sworn or affirmed to, by the person or persons subscribing thereto, before some magistrate authorized to administer an oath or affirmation; and no certificate shall, hereafter, be evidence of the facts therein stated, unless sworn or affirmed to, as aforesaid.

Certificates of witnesses to be sworn to.

No. 14.

An Act, in addition to an act, entitled "an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings."

Passed Oct. 29, 1829.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any person or persons shall be convicted of any crime, the judges of the courts aforesaid, before whom the conviction shall be had, are hereby authorized and empowered, in their discretion, to allow and tax any reasonable sum, for costs and expenses of arresting, pursuing, detaining and transporting such person or persons, before warrant issued, whether such person or persons were apprehended within or without this state.*

Expenses of apprehending felons may be allowed by c'ts.

*See no. 16.

SEC. 2. — That the courts aforesaid, upon the conviction of such person or persons, shall have power to audit and allow such costs and expenses, and direct the clerks of such courts to draw orders on the state treasurer for the amount.

Orders drawn on state treasurer.

No. 15.

An Act, providing for the publication of the reports of the Supreme Court.

Passed Oct. 29, 1829.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the governor of this state be, and he is, hereby, authorized to appoint, annually, some suitable person to prepare, and procure to be printed and bound, five hundred copies of the reports of cases decided in the supreme court, for the benefit of this state, and to direct such person,

Gov. to appoint agent to prepare and publish reports.

Deposit. when such reports shall have been printed and bound, as aforesaid, to deposit the same in the office of the secretary of state; and the person, so appointed, shall receive such compensation as the General Assembly shall direct.

Sale. SEC. 2. — That the secretary of state, when said reports shall have been deposited in his office, as aforesaid, shall sell the same, at such price as will defray the whole expense of preparing, printing, binding and selling, as aforesaid.*

*See chap. 57, no. 9, for further provision.

No. 16.

Passed Nov. 9, 1830. An Act, in addition to an act, entitled "an act in addition to an act, entitled an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings."

Judges of county courts authorized to allow expenses of apprehending, &c. under govnr's order.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the judges of the county courts in the several counties in this state are hereby authorized and empowered to allow and tax any reasonable sum for costs and expenses, incurred under the authority of the governor of this state, in transporting persons charged with the commission of crime, who may have escaped beyond the jurisdiction of this state; and also to tax and allow any reasonable sum for procuring the attendance of witnesses, living beyond the jurisdiction of this state, to be used in behalf of the state, in criminal trials; also to tax and allow any reasonable sum for costs and expenses of arresting, pursuing, detaining and transporting, any person or persons, who may have been convicted of any crime in this state.

Extent of this act.

SEC. 2. — That the foregoing section shall apply to cases, which already do, or may hereafter exist.

Clerks to draw orders on accounts allowed.

SEC. 3. — That the judges of the said county courts are hereby authorized to direct the clerks of said courts to draw orders on the state treasurer, for the amount so allowed, as aforesaid, by them.

No. 17.

Passed Nov. 10, 1830. An Act, in addition to an act, entitled "an act constituting the Supreme Court of Judicature and County Courts, defining their powers, and regulating judicial proceedings."

Justice to bind up respondents

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any person shall be

brought before a justice of the peace to answer to a criminal charge, and shall be bound over for trial, he shall be bound over to the next county court within the county, whether the same be a stated, or adjourned term.

to next county court.

SEC. 2. — That whenever any recognizance, taken by any justice of the peace, as aforesaid, or by any judge of the county court, shall be returned to any county court other than where a grand jury shall be summoned, the said recognizance shall be filed in said court, and shall be continued from term to term, until a grand jury shall attend before said court, except in such cases where, by law, an information may be filed by the state's attorney.

Continuance granted in certain cases.

No. 18.

An Act, to provide for the attendance of witnesses for respondents, in criminal cases. Passed Nov. 5, 1830.

It is hereby enacted by the General Assembly of the state of Vermont, That hereafter, when it shall be made satisfactorily to appear to any court holding the trial of any criminal case, that the respondent in such case is, from poverty, unable to procure, by compulsion, the attendance of witnesses in his behalf, the said court, in its discretion, shall have power to order and direct, that the names of the witnesses for the respondent, or so many of them as such court shall deem necessary to secure to the respondent an impartial trial, shall be inserted in the subpoena issued for witnesses by the public prosecutor, and that said witnesses be paid, in like manner as those who are called witnesses for the state.

Respondent's witnesses may be included in state subpoena.

No. 19.

An Act, in relation to County Treasurers.

Passed Nov. 3, 1830.

It is hereby enacted by the General Assembly of the state of Vermont, That the county treasurers, in the several counties in this state be, and the same are, hereby, authorized by and with the consent of the assistant judges of the county court of the same county, to compromise, settle, and discharge, any claim or demand belonging to said county, or to join any plaintiff in a *qui tam* suit or prosecution, where part of the penalty is going to the county, in compounding and settling the same, after judgment. And said treasurer, with the advice or consent of said judges, is hereby further authorized, in compound-

County treasurers authorized to settle *qui tam* prosecutions, when county is interested.

ing said judgment in a *qui tam* prosecution, to permit the plaintiff therein to receive, for his own use, the whole, or such proportion thereof, as said treasurer and judges shall judge just and equitable.

No. 20.

Passed Nov. 8,
1830.

An Act, in relation to imprisonment for debt.

Body of debtor
exempted from
execution, on
taking certain
oath before
court rendering
judgment.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That hereafter when any final judgment shall be rendered by any supreme or county court, or justice of the peace, on any contract, made or entered into after the first day of January next, the debtor may appear before such court, during the same term in which such judgment is rendered, or before such justice, within two hours after the rendition of such judgment by him, and submit himself to be examined, on oath, by such supreme or county court, or justice, and by the creditor, his agent or attorney, touching the situation, circumstances and property of such debtor; and if such court or justice shall be of opinion that such debtor is entitled to the benefit of the oath, named in the second section of this act, the said oath shall, by said court or justice, be administered to such debtor, and a record thereof be made; and in such case no execution shall issue on said judgment against the body of such debtor.*

*See no. 23.

Form of oath.

SEC. 2. — That the oath to be administered to such debtors, shall be in the form following, to wit: "You solemnly, sincerely, and truly swear (or affirm) without evasion, equivocation or mental reservation, that you have not any estate real or personal, except one cow, one swine, or the meat of one swine, ten cords of fine wood, five bushels of grain, twenty bushels of potatoes, ten sheep and one year's product of said sheep, and forage sufficient for the keeping of your cow and sheep through the present, or ensuing winter, (as the case may be) and such suitable apparel, bedding, tools and household furniture as may be necessary for upholding life, and such military arms and equipments as it is your duty, by law to furnish, in possession, remainder or reversion—to the value of twenty dollars in the whole—nor sufficient to pay the debt, damages and costs, for which judgment has been rendered against you, and that you have not, directly nor indirectly, disposed of all or any part of your estate to defraud or deceive any of your just creditors. So help you God;*" (or in case of affirmation) under the pains and penalties of perjury.

*See chap. 14,
no. 8, for addi-
tional excep-
tions in case of
U. States pen-
sioners.

No. 21.

An Act, in addition to the several acts regulating costs.

Passed Nov. 5,
1830.

It is hereby enacted by the General Assembly of the state of Vermont, That in all actions, which are now, or shall hereafter be, pending before any court in this state, and judgment shall be rendered that such court have not jurisdiction, either of the parties or cause of action therein, such court shall proceed to tax costs for the party in whose favor such judgment shall be rendered, and issue execution therefor.

Costs taxed when process is abated for want of jurisdiction.

No. 22.

An Act, in relation to set offs.

Passed Nov. 9,
1831.

It is hereby enacted by the General Assembly of the state of Vermont, That hereafter, the statutes of limitations shall not be so construed as to apply to any claim or demand, in offset, which existed at the time, or subsequently to the making of the contract, or contracts in offset to which said claims are pleaded.

Statute of limitations shall not apply to claims pleaded in offset.

No. 23.

An Act, in addition to an act, entitled "an act, in relation to imprisonment for debt," passed November 8, 1830.

Passed Nov. 8,
1832.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any debtor shall appear before any justice of the peace, rendering final judgment in any action named in the act to which this is in addition, for the purpose of being admitted to the oath in said act specified, every such justice of the peace may, if in his opinion justice requires it, continue such suit for further hearing, not to exceed twelve days.*

Justices may continue cause when debtor applies to be admitted to the oath.

*See no. 20.

SEC. 2. — That the fees to be allowed such justices of the peace shall be fifty cents for hearing and oath, and seventeen cents for continuance; which fees shall be advanced by the debtor, applying for the benefits of the act aforesaid.

Fees of justices.

SEC. 3. — That if it shall be adjudged by the court that the debtor is not entitled to the benefit of the oath prescribed by the act to which this is in addition, the said court shall add to the costs taxed in the previous judgment, the amount of the creditor's costs on such inquiry.

Additional cost allowed in certain case.

No. 24.

Passed Nov. 7,
1833.

An Act, to prevent fraudulent attachments.

Subsequent attaching creditor, may appear and defend against claim of previous attaching creditor in certain cases.

Proviso.

Subsequent attaching creditor to enter into recognizance.

Subsequent attaching creditor to pay cost in certain cases.

To recover cost in certain case.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from and after the passing of this act, any subsequent attaching creditor in any suit, now pending in any of the courts of this state, or in any suit hereafter to be commenced, in any of the courts aforesaid, may, on the suggestion of any fraudulent agreement, or combination, between the debtor and any previous attaching creditor; or that the claim of such previous creditor is illegal, or unjust, appear and defend against the claim of such previous attaching creditor, or any part thereof. *Provided nevertheless,* That before such subsequent attaching creditor shall be permitted to appear and defend, as aforesaid, he, she, or they shall be required by the court, before which such action is pending, to enter into a recognizance, with sufficient surety, to ensure all additional cost, to such previous attaching creditor.

SEC. 2. — That whenever any subsequent attaching creditor shall appear and defend, as aforesaid, and it shall be adjudged and determined by the court, that such previous attaching creditor shall recover his just claim, and no fraud or collusion, being found or proved to the satisfaction of the court, then, in that case, such subsequent attaching creditor, so appearing, as aforesaid, shall pay to the adverse party, all such additional cost as may have arisen, by reason of such defence and trial.

SEC. 3. — That whenever it shall be adjudged and determined, by such court, that the claim of such previous attaching creditor, or any part thereof, is collusive or fraudulent, then, in that case, the party defending shall recover of such previous attaching creditor, all such cost as the court, before which such question shall be tried, shall adjudge just and reasonable; and such court may render judgment, and award execution, in the name of the party defending in such suit, in the same manner, as if he, she, or they had been an original party to the suit.

No. 25.

Passed Nov. 7,
1833.

An Act, to repeal part of an act therein mentioned.

Act of 1826 repealed.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of an act, entitled "an act authorizing the county courts to take charge of county property

and to audit accounts,"* passed November ninth, in the year "See no. 7.
of our Lord one thousand eight hundred and twenty-six, as
authorizes and directs such courts to take charge of, and control
the possession and occupancy of jails and jail houses, be, and
the same is, hereby repealed.

No. 26.

An Act, in addition to an act herein mentioned.

Passed Nov. 7,
1833.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever the machinery used in any shop, mill or factory, or hides, in the process of tanning, or cord wood, or stone, or ore, or lime, or bark, or shingles, or boards, or potatoes, shall be attached on mesne process, or taken on execution, the same mode of service may be had thereon, and the same effect given thereto, as is provided by an act, entitled, "an act in addition to an act, entitled an act constituting the supreme court of judicature, and county courts, defining their powers and regulating judicial proceedings," passed November sixth, one thousand eight hundred and seventeen.†

Provisions of
act of 1817, relative to the
manner of securing attachments, extended.

†See Slade's
compiled laws,
chap. 7, nos. 27,
28.

No. 27.

An Act, in addition to, and in amendment of an act, entitled "an act, to authorize the Supreme Court to empower guardians to sell the real estate of their wards," and of an act in addition thereto, passed October 21, 1823.

Passed Nov. 4,
1833.

It is hereby enacted by the General Assembly of the state of Vermont, That the oaths, required by the acts to which this is in addition, may be administered by the clerk of the court, granting such license, or by any judge or justice of the peace of this, or of any of the United States, a certificate of which shall be duly endorsed on, or appended to such license, and signed by the authority administering the same.*

Oaths required
by former acts
may be administered by judge
or justice of
this state or
U. States.

*See Slade's
compiled laws,
chap. 7, nos. 6,
10.

No. 28.

Passed Oct. 29,
1833.

An Act, in addition to, and in alteration of, an act, entitled "an act, in addition to an act entitled an act, constituting the Supreme Court of Judicature, and County Courts, defining their powers, and regulating judicial proceedings," passed November 18, 1824.

State divided
into five judicial
circuits.

It is hereby enacted by the General Assembly of the state of Vermont, That instead of the manner in which the counties of this state are divided into judicial circuits, by the sixth section of the act, to which this is in addition, the counties in this state, shall be, and hereby are, divided into five circuits, as follows, to wit: the counties of Bennington and Rutland shall form the first circuit; the counties of Windham, Windsor and Orange, shall form the second circuit; the counties of Addison and Chittenden shall form the third circuit; the counties of Washington, Caledonia and Essex, shall form the fourth circuit; and the counties of Franklin, Orleans and Grand-Isle, shall form the fifth circuit; and it shall be the duty of the justices of the supreme court, annually, to designate one of the said justices to be chief justice of the several county courts in each of said circuits.

First circuit.

Second circuit.

Third circuit.

Fourth circuit.

Fifth circuit.

Judges to designate chief justice for county courts.

No. 29.

Passed Nov. 6,
1834.

An Act, fixing the time when State's Attornies shall enter upon the duties of their office.

Time fixed
when state's
attornies shall
enter upon the
duties of their
office.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passage of this act the several state's attornies of this state shall enter upon the duties of their offices on the first day of December, in each year.

No. 30.

Passed Nov. 6,
1834.

An Act, to exempt females from imprisonment for debt.

Females ex-
empted from
arrest.

It is hereby enacted by the General Assembly of the state of Vermont, That no female shall be hereafter arrested, or imprisoned, on mesne process, or on any execution issued on a judgment founded on any contract, made and entered into after the first day of January next.

No. 31.

An Act, in addition to an act, entitled "an act in addition to an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings," passed October 30, 1828. Passed Nov. 6, 1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any person shall be in actual confinement, in any jail in this state, by virtue of a complaint for any offence against the act, entitled "an act for the punishment of certain inferior crimes and misdemeanors," and the several acts in addition thereto, or for any offence against the common law, the supreme court, at any term thereof, whether stated or adjourned, shall have power, and they are hereby authorized, on the application, in writing, of such person, in their discretion, to direct that an information be filed against such person, for the offence for which he, or she, stands charged, and on such information being filed, shall have power to receive and record a plea of guilty, and award sentence thereon, and to proceed in the trial of all questions of law arising upon such information.

Supreme court may receive plea and sentence prisoner confined in jail in certain case.

SEC. 2. — That if upon the filing of such information, the respondent shall plead not guilty, or any other plea upon which an issue of fact shall be joined, the said information, with a certificate of the proceedings thereon, shall be sent down to the next county court, within the county in which said supreme court is then sitting, there to be tried according to law.

In case issue of fact be joined, to be sent down to co. court.

No. 32.

An Act, fixing the time at which public acts hereafter passed shall take effect, and be in force. Passed Oct. 24, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That all public acts, hereafter enacted by this or any future Legislature, shall take effect, and be in force, on, and from the first day of January next after their passing, and not before, unless otherwise therein provided.

When public acts shall take effect.

CHAPTER III.

OF CHANCERY.

No. 1.

Slade's comp.
laws, chap. 8.

Passed Nov. 10,
1830.

One chancellor
may issue writ
of sequestra-
tion.

Recognizance
required for
costs in chan-
cery.

An Act, in addition to an act entitled "an act constituting a Court of Chancery,"

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever a suit in chancery shall have been commenced, either judge of said court of chancery shall have the same power to issue a writ of sequestration, as the judges of said court have heretofore had, and under like restrictions;—which writ of sequestration shall be served in the same manner, and have the same force, as any like writ of sequestration which the judges of the court of chancery might heretofore, have issued.

SEC. 2. — That on the issuing of the subpoena against the defendant, or defendants, in any bill in chancery, and on the issuing of any writ of sequestration, the judge of the supreme court, issuing the same, may, at his discretion, require of the party praying out said subpoena or writ of sequestration, sufficient sureties by way of recognizance, with surety, for the costs of the other parties in such suit, whether plaintiff or defendants.

No. 2.

Passed Nov. 6,
1834.

Effect of decree
of court of
chancery in
certain case.

Proviso.

An Act, in addition to an act, entitled "an act constituting a Court of Chancery."

It is hereby enacted by the General Assembly of the state of Vermont, That where a decree shall be made for a conveyance, release or acquittance, in the supreme court sitting as a court of chancery, and the party, against whom such decree shall be made, shall not comply therewith by the time appointed, then such decree shall be considered and taken, in all courts of law and equity, to have the same operation and affect, and be as available, as if the conveyance, release, or acquittance, had been executed conformably to such decree. *Provided always,* that whenever such decree as aforesaid shall be made for the conveyance, release or acquittance of titles to lands, tenements, or hereditaments, the party in whose favor such decree shall be made, shall in nowise be benefited by the foregoing provisions of this act until he, or they, shall have caused

a copy of such decree, certified by the clerk of said court of chancery, to be duly recorded in the public records of deeds, in the office of the town clerk of the town in which such lands, tenements, or hereditaments, are situated.

Decree to be recorded.

CHAPTER IV.

OF THE JURISDICTION OF JUSTICES OF THE PEACE.

No. 1.

An Act, in addition to an act, entitled "an act defining the powers of justices of the peace within this state."

Slade's comp. laws, chap. 9.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any justice of the peace, within this state, shall commit to prison, or bind over for trial to the county or supreme court, any person, charged with a criminal offence, agreeably to the second section of the act to which this is in addition, the said justice shall, within thirty days therefrom file with the clerk of the county court, in the county where such proceeding is had, a certified copy of the records and proceedings in the case: and if there shall not be thirty days between said proceeding and the next session or term of the court, the same shall be filed, in manner aforesaid, on the first day of the next term of said court.

Passed Nov. 4. 1826.

Justices to certify certain records, &c. in prescribed time.

No. 2.

An Act, repealing part of an act therein mentioned.

Passed Oct. 23. 1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the second section of an act entitled "an act in addition to the several acts, defining the powers of justices of the peace within this state," passed November nineteenth, one thousand eight hundred and twenty-four, be, and the same is hereby repealed.*

Repeal of 2d sec. of justice act of Nov. 19, 1824, empowering justices to take cognizance of trespasses on the freehold.

Provided, however, that this act shall not effect any action which has been removed to the county court by virtue of the said section hereby repealed.

*See Slade's compiled laws, chap. 9, no. 11, section 2.

Saving clause.

Provision for
actions already
removed.

SEC. 2. — That actions, which have been removed to the county court, by virtue of said section, hereby repealed, may be pleaded to, and tried upon the same principles, as if originally commenced in the county court.

Provided nevertheless, That this act shall not be in force or take effect, until after the last day of January next.

No. 3.

Passed Oct. 27, 1829. An Act, in addition to an act, entitled, "an act defining the powers of justices of the peace, within this state," passed March 4, 1797.

Justice court to
be not exceed-
ing 60 days
from service of
writ.

It is hereby enacted by the General Assembly of the state of Vermont, That the time, hereafter appointed in any justice writ, for holding the court therein mentioned, shall not exceed sixty days from the day of the service thereof; and if the time, so appointed for holding such court, shall exceed sixty days from the day of the service of such writ, the same writ shall, on motion, abate.

Provided, That this act shall not take effect until the first day of January next.

No. 4.

Passed Oct. 26
1832.

An Act, relating to justices of the peace.

Any justice of
peace may con-
tinue cause re-
turnable before
another justice
in certain case.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any civil process shall have been served, returnable before any justice of the peace within this state, and at the time appointed for the trial, said justice, by reason of sickness or other cause, shall be unable to attend at the place appointed for holding the court, any justice of the peace, for the same county, who could legally try a cause between the parties, may, at the time and place of trial, continue such cause to some time, when, in his opinion, the justice of the peace who signed the writ will be able to attend. *Pro-
vided always,* That the same pleas may be pleaded and the same proceedings had, after continuance of said cause as above provided, as if said cause had not been continued. *And pro-
vided also,* That said cause shall not be continued, by such justice more than once, nor for a longer period of time than thirty days. And such justice, at the time of such continuance, shall enter on the files, the reasons therefor, under his official signature.

Same pleas
may be pleaded
after continu-
ance, &c.

Reasons for
continuance to
be recorded.

No. 5.

An Act, to repeal the first section of an act therein mentioned.

Passed Nov. 8,
1832.

It is hereby enacted by the General Assembly of the state of Vermont, That the first section of the act, entitled, "an act in addition to an act defining the powers of justices of the peace, with this state," passed November sixth, one thousand eight hundred and two, be, and the same is, hereby repealed.*

*See Slade's
compiled laws,
chap. 9, no. 2.

First section of
act of 1802, pro-
hibiting justices
to sign writs in
blank repealed.

CHAPTER V.

OF ACTIONS BY ENDORSEES OR BEARERS
AND ASSIGNEES.

No. 1.

An Act, in explanation of, and in addition to an act therein mentioned.

Slade's comp.
laws, chap. 11.

It is hereby enacted by the General Assembly of the state of Vermont, That the proviso to the first section of the act, entitled, "an act allowing endorsees to maintain actions in their own names," shall be construed, deemed and holden, to extend, as well to cases brought in the name of the bearer, or assignee of a note, as to the cases brought in the name of endorsee.

Passed Nov. 1,
1832.

Proviso of for-
mer act ex-
tended.

No. 2.

An Act, relating to bills of exchange and promissory notes.

Passed Nov. 1,
1833.

It is hereby enacted by the General Assembly of the state of Vermont, That all bills of exchange and promissory notes shall be deemed and taken to become due and payable at the time specified in said bills of exchange and promissory notes, without allowing days of grace thereon.

Bills of ex-
change and
promissory notes
payable at the
time specified
therein, with-
out allowing
days of grace.

CHAPTER VI.

OF TENDERS.

Slade's comp.
laws, chap. 12.

An Act, directing when tenders may be made on notes and other contracts, payable in specific articles, which may fall due on Sunday.

Passed Nov. 9,
1826.

Contract due
on Sunday, ten-
der may be
made on Mon-
day.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passing of this act, it shall be lawful for the debtor or debtors of any note or other contract, hereafter made or entered into, for the payment of any specific article or articles, when the same shall fall due on Sunday, to make tender or payment thereof on the Monday next following; any law to the contrary notwithstanding.

CHAPTER VII.

OF ABSCONDED, CONCEALED, OR ABSENT DEBTORS.

No. 1.

Slade's comp.
laws, chap. 13.

An Act, in addition to an act, entitled "an act directing the proceedings against the trustees of concealed, or absconding debtors," and the several acts in addition thereto.

Passed Nov. 10,
1830.

Trustees of per-
sons residing
out of the state
liable to pro-
cess.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any person, residing without this state, shall have any money, goods, chattels, rights or credits to him belonging, with any person or persons in this state, any creditor of such absent person may cause such person or persons, having such money, goods, chattels, rights, or credits, to be summoned by the same process, (describing such absent person as an absent debtor) and the same proceedings may be had, and the same judgments rendered thereon, as might be had, or rendered for, or against, absconding or concealed debtors, and their trustees, by virtue of the several acts to which this is in addition.

No. 2.

An Act, in amendment of an act, entitled "an act in addition to an act," entitled, "an act, directing the proceedings against the trustees of concealed or absconding debtors," and the several acts in addition thereto.

Passed Nov. 2,
1831.

It is hereby enacted by the General Assembly of the state of Vermont, That, in all actions, or suits, brought in pursuance of an act, entitled, "an act in addition to an act, entitled, "an act directing the proceedings against the trustees of concealed or absconding debtors," and the several acts in addition thereto, passed November tenth, one thousand eight hundred and thirty, the officer, serving such process, shall leave for the principal debtor, a true and attested copy thereof, and of his return thereon, in the hands of the trustee, or at his place of then usual abode, in the manner prescribed in the twenty-sixth section of the act, constituting the supreme court of judicature and county courts, defining their powers, and regulating judicial proceedings; and notice of such action, or suit, shall be given to the principal debtor, in the same manner, and the same proceedings, in all other respects, shall be had, as are provided by the fifty-fifth section of the act last mentioned.

Service of process in suits against trustees, &c.

No. 3.

An Act, in addition to an act, entitled "an act, directing the proceedings against the trustees of concealed or absconding debtors."

Passed Nov. 6,
1833.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any executor, or administrator, in this state, shall have in his, her, or their possession, as executor or administrator, any money, goods, chattels, rights or credits of any person, who shall have secretly absconded from this state, or who shall keep concealed within the same, or of any person residing without this state, any creditor may cause such executor, or administrator, to be summoned as trustee or trustees, of such person or persons, and the same proceedings shall be had, and the same judgment rendered, and the same force and effect given to said judgment as are, in, and by said act enacted.

Executor and administrator may be summoned as trustee in certain cases.

No. 4.

An Act, in addition to an act, entitled "an act directing the proceedings against the trustees of concealed or absconding debtors."

Passed Oct. 23
1834.

It is hereby enacted by the General Assembly of the state of Vermont, That the clerk or magistrate signing any writ,

In trustee process, magistrate to take one recognizance to trustee and one to principal debtor.

made under the authority of the acts aforesaid, or the several acts in amendment, or addition thereto, shall take one recognizance to the trustee or trustees, and one to the principal debtor or debtors, and make a minute of such recognizances upon said writ at the time of signing:—which recognizances shall be in such sum, and entered into by such person or persons, as such clerk or magistrate shall deem sufficient; and if any writ shall otherwise issue, the same, on motion, shall abate.

CHAPTER VIII.

OF CONVEYANCE OF REAL ESTATE.

No. I.

Slade's comp. Laws, chap. 7, —18.

An Act, to authorize the appointment of commissioners to take acknowledgments of deeds, and instruments of writing, and the depositions of witnesses, out of this state.

Passed Nov. 9, 1831.

Governor may appoint commissioners in other states.

Powers and duties of commissioners.

Their certificates valid.

May administer oaths.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the governor of this state be, and is, hereby, authorized to name, appoint and commission, one, or more, commissioners, in each, or such of the other states, of the Union, or in the district of Columbia, as he may deem expedient; which commissioners shall continue in office during the pleasure of the governor, and shall have authority to take the acknowledgments, and proof of the execution of any deed, mortgage, relinquishment of dower, or other conveyance of any lands, tenements, or hereditaments, or interest therein, lying or being in this state; any contract, letter of attorney, or any other writing, to be used or recorded in this state; and such acknowledgment, or proof, taken, or made, in the manner directed by the laws of this state, by any one of said commissioners, and a certificate thereof endorsed on, or annexed to said deed or instrument, so acknowledged, or proved, under the seal of said commissioner, shall have the same force and effect, and be as good and available, in law, for all purposes, as if the same had been made, or taken, in this state, by any judge, clerk, or magistrate, authorized, or required to take such acknowledgments and proofs.

SEC. 2. — That every commissioner, appointed by virtue of this act, shall have full power and authority to administer an oath, or affirmation, to any person; and, also, to take the examinations and depositions of witnesses; and such oath,

or affirmation; made before such commissioner, is hereby declared to be as good and effectual, to all intents and purposes, as if taken by any magistrate of this state, competent to administer oaths and affirmations; and such depositions and examinations of witnesses, may be read in evidence, in any suit, at issue in any court of law, or equity, in this state, in all cases, where such deposition or examination would be admissible in evidence, if taken before commissioners, appointed by the supreme court of this state.

SEC. 3. — That it shall be competent for any court in this state, exercising chancery jurisdiction, in any case depending before such court, to confer upon any one, or more, of said commissioners, the powers of a master and examiner in chancery; and the testimony taken by said commissioner, or commissioners, under such power, together with his, or their, report thereon, duly certified by said commissioner, under his seal, and returned to said court, shall, in all respects, be of the same validity, force, and effect, as though the said testimony had been taken in the same manner, and the said report, made by a master and examiner in chancery, appointed and acting, in this state, under and by virtue of the laws thereof.

Court may confer upon said commissioners the powers of a master in chancery.

SEC. 4. — That every commissioner, appointed as aforesaid, before he shall proceed to perform any duty under, and by virtue of this law, shall take and subscribe an oath, or affirmation, before a justice of peace, in the city, or county, in which such commissioner shall reside, well, and faithfully, to execute and perform all the duties of such commissioner, as prescribed in this act; and, also, shall execute a bond to the governor of this state, and his successors in office, in the penal sum of five hundred dollars, with one or more good and sufficient sureties, residing in this state, conditioned for the proper exercise of the powers, and the faithful discharge of the duties, by this act conferred and imposed upon such commissioner; which bond may be put in suit in the name of the governor for the time being, against the principal and securities, or any, or either of them, by any person who has been injured by the misfeasance, malfeasance, or nonfeasance of the said commissioner in his said office.

Commissioners to take oath.

No. 2.

An Act, in addition to an act, entitled "an act, regulating the conveyances of real estate, and for the prevention of frauds therein," passed March 6, 1797.

Passed Nov. 1, 1831.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That when any party, or parties, executing any deed, or deeds, conveyance, or conveyances, or letter, or letters of attorney, in relation to real estate, situate

If person, making conveyance of real estate, reside in foreign

state, acknowledgment may be made before minister, consul, &c.

Or before mayor, &c.

Or, persons specially authorized.

Deeds admitted in evidence.

Acknowledgment of *feme covert* may be made before same officers.

*See Slade's comp. laws, ch. 18, No. 1, sec. 12.

within this state, shall be, or reside, in any foreign state, province, or kingdom, the acknowledgment thereof may be made by such party, or parties, or the execution thereof may be proven by one of the subscribing witnesses thereto, before any minister, *charge des affaires*, or consul of the United States, accredited within such state, province, or kingdom; or before the mayor or chief magistrate of the city, or place, in, or near which, such party, or parties, shall be or reside; or every such deed, conveyance, or letter of attorney, may be acknowledged, or proven, before any person, specially authorized, for that particular purpose, under a commission from the governor, or supreme court of this state:—and upon such acknowledgment, or proof being certified, under the hand and seal of the officer, or person, taking the same, such deeds, conveyances or letters of attorney, shall be admitted in evidence, the same as if they had been executed and taken in this state.

SEC. 2. — That when any *feme covert*, residing in any foreign state, province or kingdom, shall execute any deed, conveyance, or letter of attorney, as aforesaid, her acknowledgment thereof, and separate examination, apart from her husband, shall be made before, and certified by, the same officers, or persons, as are authorized to take the acknowledgments of deeds in foreign countries, in, and by the first section of this act.*

CHAPTER IX.

OF PARTITION OF REAL ESTATE.

Slade's Comp. Laws, Chap. 19.

An Act, making further provision for the partition of real estate.

Passed Oct. 31, 1831.

Married woman, holding lands in common, may join with others in making partition, in certain cases.

May execute & receive deeds, &c.

It is hereby enacted by the General Assembly of the state of Vermont, That in all cases, where a married woman, in this, or any other state, or country, whose husband is under guardianship, is seized and possessed, in her right, of any lands, tenements, or hereditaments, in this State, in common with any person, or corporation, it shall be lawful for such married woman, to join with the guardian of her husband in making partition or division thereof, with the other tenants in common. And for this purpose, such married woman and guardian, are hereby, authorized and empowered, to make, execute, acknowledge and deliver, and also to receive any deeds, releases or other conveyances, which may be necessary, in making such

partition or division. And such deeds, releases, or other conveyances, so made and executed, shall be as good and valid as if the same had been made and executed by such husband and wife, he being under no disability.

CHAPTER X.

OF SUITS RESPECTING LANDED PROPERTY.

No. 1.

An Act, in addition to and alteration of an act, for the purpose of regulating suits respecting landed property and directing the mode of proceeding therein, passed Nov. 15, 1820, and to extend the privileges of the same.

Slade's comp. laws, chap. 20.

SEC. 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the last providing clause in the seventh section of the act to which this in addition, be, and the same is, hereby repealed.*

Passed Nov. 14, 1827.
Proviso of act of 1820, repealed.

SEC. 2. — That the said act shall extend to all cases whatever, that are provided for in said act; in the same manner and to the same effect as though the latter providing clause in same seventh section had not been enacted.†

*See Slade's compiled laws, chap. 20, no. 7, section 7.
Extent of this act.

SEC. 3. — (That this act and the act to which this is an addition shall not extend to any person, who shall enter upon and take possession of land after the passing of this act.) ‡

†See No. 2 & 3 Limitation.

‡Repealed, see No. 2.

No. 2.

An Act, in addition to an act, entitled "an act, in addition to, and alteration of an act, for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein," passed Nov. 14, 1827.

Passed Oct. 29, 1828.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That the third section of the act to which this is an addition, be, and the same is, hereby repealed.

Part of act of 1827 repealed.

SEC. 2. — That the act entitled "an act, for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein," passed the fifteenth day of November, one thousand eight hundred and twenty, shall extend to all cases whatever that are provided for in said act,

Extent of the act of 1820.

*See Slade's
compiled laws,
chap. 20, No. 7.

in the same manner and to the same extent, as though the latter providing clause in the seventh section thereof had not been enacted.*

Limitation.

†See No. 3.

SEC. 3. — That this act, and the act, mentioned in the second section of this act, shall not extend to any person or persons who shall enter upon, and take possession of lands after the passing of this act.†

No. 3.

Passed Nov. 6, 1834. An Act, in addition to an act, entitled "an act for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein," passed Nov. 15, 1820.

Provisions of
former act ex-
tended.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the said act, entitled "an act for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein," passed on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and twenty, shall extend to all cases which are provided for in said act, in the same manner, and to the same extent, as though the last providing clause in the seventh section thereof, nor any act in addition thereto, had never been passed.

Limitation.

SEC. 2. — That the act above mentioned shall not extend to any person who shall enter upon, and take possession of, lands after the passing of this act.

CHAPTER XI.

OF NOTICE RELATIVE TO TAKING FORFEITURES OF GRANTS AND CHARTERS.

An Act, in addition to "an act, directing the mode of taking forfeitures of grants and charters."

Slade's comp.
laws, chap. 22.

Passed Oct. 28,
1829.

Notices how
published.

It is hereby enacted by the General Assembly of the state of Vermont, That the publications of notices, required in and by said act, shall be made in one or more newspapers, as

the judge making the order shall direct, which shall be sufficient notice to all concerned ;—any thing in said act to the contrary notwithstanding.

CHAPTER XII.

OF CONSTABLES.

No. 1.

An Act, authorizing any constable of Burlington to serve process on the wharf and on vessels in Burlington bay.

Slade's comp.
laws, chap. 27.
Passed Nov. 8,
1825.

It is hereby enacted by the General Assembly of the state of Vermont, That any constable of the town of Burlington, in the county of Chittenden, be, and hereby is, authorized and empowered to serve and execute any writ or other process to him directed, on any wharf, vessel, boat or raft, in Burlington bay, so called, east of a line drawn from Sharp-Shins Point to Juniper Island, and from thence around the west side of said island, to the shore of lake Champlain, in the southwest corner of the town of Burlington aforesaid ; any law, usage or custom to the contrary, notwithstanding.

Constable of
Burlington au-
thorized to
serve process in
certain parts of
Burlington bay.

No. 2.

An Act, authorizing constables of the several towns, adjoining the waters of lake Champlain, to serve process beyond the charter limits of their respective towns.

Passed Novem-
ber 3, 1827.

It is hereby enacted by the General Assembly of the state of Vermont, That the constable of any town in this state, adjoining the waters of lake Champlain, be, and hereby is authorized and empowered to serve and execute any writ or other process, to him directed, at any place between that part of such town, which is bounded on said lake, and the west line of this state, any law, usage or custom to the contrary notwithstanding.

Constable may
serve process
on lake.

Provided, nothing herein contained shall authorize such constable to serve and execute any writ or other process within

Restriction:

the charter limits of any other town, than that in which such constable shall reside.*

*See no. 3.

No. 3.

An Act, extending the jurisdiction of constables.

Slade's comp.
laws, chap. 27.
Passed Oct. 27,
1831.

First constables
empowered to
serve writs in
any town in the
co. in which
they reside.

It is hereby enacted by the General Assembly of the state of Vermont, That, from and after the first day of April next, every writ and process made returnable before a justice of the peace, shall be directed to the Sheriff, his deputy, or any constable of the county, and the first constable in any town in this state, be, and he hereby is, authorized and empowered, to serve and return such writ or process in any town within the county to which he belongs; and said constable, his bail, and the town by whom he was elected, shall be responsible for the acts, defaults and neglects of said constable, in the exercise of the powers conferred on him by this act, as they now are, by law, for his acts and neglects, or duties to be performed, within the town to which he belongs.

Proviso.

Not to serve in
other towns till
his town con-
sent by vote at
March meet'g.

Provided nevertheless, and it is hereby further enacted, That no constable in any town in this state, by virtue of the provisions of this act, shall serve any writ of attachment or execution, in any town other than the town in which he resides, until the said town shall have given their consent by a vote of said town, to that effect, at the annual March meeting of said town, and a record thereof be made in the town clerk's office.

CHAPTER XIII.

OF ATTACHMENT OF PROPERTY ON MESNE PROCESS.

Slade's comp.
laws, chap. 28.
Passed Nov. 4,
1826.

An Act, in addition to an act entitled "an act directing the levying and serving executions."

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any sheriff, constable or other officer shall attach property on mesne process, such officer shall

have the same right to demand indemnity of the creditor, and be subject, in all respects, to the same liabilities as is provided for in the eleventh section of the act to which this is an addition, in cases where property is taken on execution.

same process may demand indemnity.

CHAPTER XIV.

OF JAIL DELIVERY.

No. 1.

An Act, in addition to the several acts, authorizing the supreme court to appoint commissioners of jail delivery.

Slade's comp. laws, chap. 29.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That in future, the commissioners of jail delivery, in the several counties in this state, shall be annually appointed, by the legislature, like other county officers, and shall come into said office on the first day of December in each year.

Passed Nov. 2, 1825.

Comm'rs. of jail delivery to be appointed by the legislature.

Provided nevertheless, That those commissioners appointed at the present session of the legislature, in any county, shall not enter upon the execution of their respective offices until the expiration of the offices of the commissioners already appointed in such county.

Commencement of term of service of commissioner appointed at this session.

SEC. 2. — That whenever any two of the commissioners of jail delivery shall be incapable of judging upon the application of any prisoner, by reason of interest, or by reason of his being related to either party, or in case of the death or removal from the county of any such commissioner, any judge of the county court of the county where such prisoner shall be confined, may attend and judge instead of any such commissioner, so incapacitated as aforesaid, such judge being named for that purpose in the complaint and citation.*

Judge of county court to act as comm'r. in certain case.

SEC. 3. — That no greater sum shall be received, by all the commissioners, for a citation, than thirty-four cents, nor a greater sum for both certificates to prisoner and jailer, than twenty-five cents.

*See No. 3.

Fees for citation and certificates.

No. 2.

Passed Nov. 11, 1825. An Act, authorizing the judges of the county court of the county of Windham to set out the limits of the jail yard in said county.

Judges of
Windham co.
court to set out
limits of jail
yard.

*See Slade's
compiled laws,
chap. 29, no. 16.

It is hereby enacted by the General Assembly of the state of Vermont, That the judges of the county court in the county of Windham, shall, within ten days after the time of their acceptance of the new court house, jail and jail house in said county, cause the extent of the liberties of the jail aforesaid to be set out, agreeably to the provisions of an act, entitled "an act directing the several county courts in this state in the mode of setting out their respective jail yards, and restricting them therein," passed November sixteen, eighteen hundred and thirteen.*

No. 3.

Passed Nov. 4, 1826. An Act, in addition to an act entitled "an act in addition to the several acts authorizing the supreme court to appoint commissioners of jail delivery."

Supply of vacancy in board of jail commis'rs.

It is hereby enacted by the General Assembly of the state of Vermont, That in case either of the commissioners of jail delivery, appointed under the authority of the act to which this is an addition, in any county in this state, shall refuse or neglect to be qualified and to officiate as such commissioner, or having accepted such appointment, shall resign, or be disabled by death, removal or otherwise, from serving in said capacity, either of the judges of the county court, in and for such county, may, on application of any individual, applying for the benefit of the poor debtor's oath, appoint a person or persons to supply such place or places, in said board of commissioners; and the judge so making such appointment as aforesaid, shall certify the same to the clerk of the county court in such county, which certificate shall be, by the said clerk, forthwith, recorded in his office.

No. 4.

Passed Nov. 13, 1827. An Act, in addition to an act, relating to levying execution, and to poor debtors.

Additional

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That in addition to the property, which is now by law exempt from attachment and execution, ten cords of

fire wood, five bushels of grain and twenty bushels of potatoes shall hereafter be exempt from mesne process and execution. property exempt from execution.

SEC. 2. — That no person owning the articles of property aforesaid, shall, thereby be prevented from taking the oath prescribed for poor debtors. Privilege in taking oath.

SEC. 3. — That in the oath, hereafter to be administered to poor debtors by the commissioners of jail delivery, the words, "*ten cords of fire wood, five bushels of grain and twenty bushels of potatoes,*" shall be inserted next after the words, "or the meat of one swine," in the form now prescribed by law.* Addition to form of oath. *See chap. 2, No. 20.

No. 5.

An Act, for the relief of poor debtors.

Passed Oct. 30,
1829.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any person shall be committed to prison on execution, in any county in which the creditor in such execution does not reside, such person in prison, if otherwise entitled to the poor debtor's oath, shall be admitted to the same without giving any notice of his intention to take such oath to said creditor, unless said creditor, or his attorney of record, shall have endorsed upon such execution the appointment of an agent residing in the town in which such prison is situated.

Poor debtor admitted to oath unless agent appointed.

No. 6.

An Act, in relation to imprisonment on executions for torts.

Passed Nov. 10
1830.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any person is imprisoned in any jail in this state, on any execution, when from the nature of action, or from the certificate in, or upon the execution, the defendant is deprived of the privileges of the oath provided for the relief of poor debtors, confined in jail, it shall, and may be lawful for such defendant to apply, by petition, to the county court in the same county, at any regular session thereof; and said court, on its appearing that the plaintiff, or his attorney, has been duly served with a copy of said petition, twelve days before said session of the court, shall proceed to hear said parties, and said court shall, in consideration of the aggravation of the defendant's case, and the extent of his confinement, fix and adjudge when the said defendant shall be entitled to the ad-

Prisoner not entitled to the poor debtor's oath may apply to co. court for relief.

Service of process.

Relief.

vantages of said poor debtor's oath ; and said defendant shall, at and after the time so fixed by the court, be entitled and authorized to proceed in the same manner, and entitled to the same privileges, as poor debtors confined on executions in actions on contracts.

Court may decree payment of part of debt.

Provided however, That said county court may, and shall, at all times, in the hearing of the cause upon such petition, enquire into the circumstances and ability of the said debtor to pay the said debt, or any part thereof, and the aggravation of the offence, and may make order for the payment of any part of said debt, at such time as the said court may judge just and reasonable, previous to his taking the poor debtor's oath, as is above provided, and the said court of jail commissioners shall not admit the said debtor to take the oath provided for poor debtors as is above provided in this act, until such debtor shall have complied with such order, by paying the sums so, by the county court, ordered to be paid.

No. 7.

Passed Nov. 1,
1832.

An Act, in addition to an act entitled "an act in addition to an act relating to jails and jailers and for the relief of persons imprisoned therein," passed Nov. 5, 1799:

Jailers in Chittenden and Caledonia counties to keep U. S. prisoners.

It is hereby enacted by the General Assembly of the state of Vermont, That the keeper of the jail in the county of Chittenden, and in the county of Caledonia, is hereby required to receive and keep all prisoners, committed under the authority of the United States, in like manner, and under the same restrictions, as are contained in the eighteenth and nineteenth sections of an act entitled "an act relating to jails and jailers, and for the relief of persons imprisoned therein," passed March the ninth, one thousand seven hundred and ninety-seven.*

*See Slade's compiled laws, chap. 29, No. 1, sec. 18—19.

No. 8.

Passed Nov. 7,
1833.

An Act, for the relief of military pensioners.

U. S. pensioners permitted to take poor debtor's oath, altho' money be due them from U. S.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That no pensioner, under the authority of the Congress of the United States, for military services, making application for the benefit of the poor debtor's oath, shall be prevented from taking said oath, by reason of any money due, or on hand, or thereafter to become due, to such pensioner, by virtue of any act of Congress, aforesaid, any law, or usage, to the contrary notwithstanding.

SEC. 2. — That immediately after the words "disposed of the same," in the oath, to be administered on such occasions, the words, "*except your pension from the United States as a military officer,*" (or soldier, as the case may be,) shall be inserted.*

Form of oath to be administer'd.

*See chap. 2, No. 20.

SEC. 3. — That an act, entitled "an act for the relief of military pensioners," passed November eleventh, one thousand eight hundred and eighteen, be, and the same is, hereby repealed.†

Former act repealed.

†See Slade's compiled laws, chap. 29, no. 19.

CHAPTER XV.

OF THE STATE PRISON.

No. 1.

An Act, in addition to the several acts for the government and management of the state prison.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the office of warden of the state prison shall be, hereby, abolished, from and after the first day of December next.

Slade's comp. laws, chap. 30.

Passed Nov. 6, 1826.

Office of Warden abolished.

SEC. 2. — That the superintendent, after the first day of December, shall have power, and it shall be his duty, to make and establish all such rules and regulations and by-laws, for the due management of the concerns of said prison, and for the government and security of the convicts, as may be necessary and proper, and not repugnant to the constitution and laws of this state, and the same, from time to time alter, as shall be found expedient; and also shall have power to appoint and remove, at pleasure, a keeper, and such servants and guards as shall be necessary for managing the concerns of the institution and for the safe keeping of the convicts.

Power & duties of superintendent.

SEC. 3. — That it shall be the duty of the superintendent, annually, to lay before the legislature, on or before the eighth day of the session, a list of the number of convicts, the commencement and expiration of their several sentences, and a copy of the by-laws; and it shall also be his duty, on the first day of October, annually, to make out and exhibit to the treasurer of this state for the time being, a minute and correct statement of all his accounts and doings up to that time; and it is hereby made the duty of the treasurer to examine, audit and adjust the accounts of the superintendent, and return said ac-

Supt. to make returns and reports.

Treasurer to audit accounts.

count, so audited, to the legislature, on or before the eighth day of their session, annually.

Repeal of sundry acts.

*See Slade's compiled laws, chap. 30, no. 5—9.

SEC. 4. — That all acts and parts of acts, relating to the government and management of the state prison, inconsistent with the provisions of this act, be, and they hereby are, repealed.*

No. 2.

Passed Oct. 26, 1826. An Act, in addition to "an act relating to the discharge of convicts in the state prison."

Governor and Council may grant pardon or remission with conditions.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever a pardon is granted, or fine remitted, by the Governor and Council, agreeably to the eleventh section of the constitution of this state, to any person confined in any county or city jail, they may grant the pardon or remit the fine and costs of conviction, on such conditions as they shall judge proper.

Prisoner neglecting to perform conditions to be recom'd.

SEC. 2. — That if any prisoner, so pardoned, or his fine remitted, shall fail or neglect to keep and perform the conditions, on which the pardon shall be granted, or fine and costs remitted, he, or she, shall be again apprehended, by warrant, to be issued by the clerk of the court where the conviction shall have been had, on application of the state's attorney of said county, and recommitted to said jail, there to remain, until the sentence of court be complied with.

No. 3.

Passed Nov. 13, 1827. An Act, in addition to an act entitled "an act authorizing the visitors of the state prison to procure a bell and for other purposes," passed Nov. 18, 1824.

†Repealed, see No. 4.

Superintendent Vt. state prison to employ chaplain.

Salary.

(†SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the superintendent of the state prison be directed to procure some suitable person to officiate as chaplain for said prison; whose duty it shall be to deliver, or cause to be delivered, at least one sermon or discourse to the prisoners on each sabbath, and perform all other duties necessary for a chaplain of said prison: and the said superintendent is hereby authorized to allow said chaplain a salary; not exceeding two hundred dollars per year, which salary he is hereby directed to pay said chaplain, and charge the same to the current expenses of said prison.)

SEC. 2. — That the first section of an act in addition to

an act, entitled "an act authorizing the visitors of the state prison to procure a bell and for other purposes," passed the eighteenth day of November, in the year of our Lord one thousand eight hundred and twenty-four, be, and the same is, hereby repealed.*

Part of former act repealed.

*See Slade's compiled laws, chap. 30, no. 9, sec. 1.

SEC. 3. — That the superintendant of the state prison be directed to procure some suitable person, as soon as may be, to build three brick privies for the accommodation of said prison; and the said superintendant is hereby authorized to pay a sum not exceeding one hundred and fifty dollars for building said privies, which he is hereby directed to pay and charge the same in the current expenses of said prison.

Supt. to make certain repairs.

No. 4.

An Act, providing for a chaplain for the Vermont state prison.

Passed Nov. 9, 1831.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the superintendant of the state prison be, and he hereby is, authorized and directed, to procure some suitable person, to officiate as chaplain, in said prison, whose duty it shall be, to perform, in said prison, the usual religious services, on each, and every sabbath, in the same manner, as near as may be, as the same are performed, in the various churches in the state; to superintend the religious instruction of the convicts in said prison; and in general, to do and perform all the duties of chaplain, in said prison; and said superintendant is authorized to allow, and pay said chaplain, a salary, not exceeding three hundred dollars, per annum, and to charge the same in his account of the current expenses of said prison.

Superintendent authorized to procure a chaplain, to perform religious services in prison.

And superintend religious instruction of convicts.

Salary of the chaplain.

Supt. to pay salary.

SEC. 2. — That the first section of an act, entitled, "an act, in addition to an act, entitled, 'an act, authorizing the visitors of the state prison to procure a bell, and for other purposes,'" passed November thirteenth, one thousand eight hundred and twenty-seven, be, and the same is, hereby repealed.†

First sec. of act of 1827, repealed.

†See No. 3.

CHAPTER XVI.

OF HIGH CRIMES AND MISDEMEANORS.

No. 1.

An Act, in addition to an act, entitled "an act for the punishment of certain capital and other high crimes and misdemeanors," passed Nov. 11, 1818.

Slade's comp.
laws, chap. 31.

Passed Nov. 17,
1825.

Insane person
in custody for
crime and ac-
quitted or dis-
charged on ac-
count of his in-
sanity, may be
committed to
prison.

Expenses of
persons thus
imprisoned,
how defrayed.

Grand jury to
certify when a
bill is not found
against any per-
son on account
of his insanity.

Petit jury to
certify when
person is ac-
quitted for such
cause.

Two judges of
county court
may discharge
person commit-
ted.

Insane person
may be com-
mitted to cus-
tody of friends.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any person, who is or may be arrested and in custody, or in prison, to answer for any crime or crimes, offence or offences before any county court in this state, shall be acquitted thereof by the jury of trials, or shall not be indicted by the grand jury by reason of the insanity or mental derangement of such person, and the discharge or going at large of such person shall be deemed, by the same court, to be dangerous to the safety of the citizens, or to the peace of the state, the said courts be, and hereby are, respectively, authorized and empowered to commit such person to prison, there to be detained, until he or she be restored to his or her right mind, or otherwise discharged by due course of law; and every person, so committed, shall be kept at his or her own expense, if he or she have estate sufficient for that purpose; otherwise at the charge of the person or town upon whom his or her maintenance would have been legally chargeable, if he or she had not been committed as aforesaid.

SEC. 2. — That whenever the grand jury of any county in this state, upon any inquiry, which they may hereafter make, as to the commission of any crime or offence by any person, shall omit to find a bill for the cause aforesaid, it shall be the duty of such grand jury to certify the same to the court; and whenever the jury of trials, upon the general issue of not guilty, shall acquit any person, for the cause aforesaid, it shall be the duty of such jury, in giving in their verdict of not guilty, to state that it was for such cause.

SEC. 3. — That any two judges of the county court, in any county in this state, may discharge from confinement, any such person, when it shall be made to appear, to their satisfaction, that the going at large of such person will not be dangerous to the safety of the citizens and to the peace of the state.

SEC. 4. — That upon the application of any friend or friends of such insane or deranged person, to any of the county courts aforesaid, or to any two of the judges of the county court in the county in which such insane or deranged person is, or may be in prison, such court or judges are hereby authorized

and empowered to commit to the custody and safe-keeping of such friend or friends, such insane or deranged person.

Provided, however, That such applicant or applicants shall first give bonds, with sufficient surety or sureties, to the court of probate for the district in which such insane or deranged person is confined, conditioned for the safe-keeping of such insane or deranged person, and for the payment of all damages, which any person shall or may sustain, by reason of the acts and doings of such insane or deranged person; which bond shall be approved by the court or judges aforesaid, and may be put in suit for the benefit of persons interested, in the way and manner, and like proceedings may be thereon had, as is, by law, provided in case of probate bonds.

Applicant for custody of insane person to give bond to probate court.

Bond to be approved by judges of co. court.

Provided, That nothing in this act contained shall deprive any person of the benefit of the writ of *habeas corpus*.

Right of habeas corpus secured.

No. 2.

An Act, in addition to "an act for the punishment of certain capital and other high crimes and misdemeanors."

Passed Nov. 4, 1826.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person shall commit the crime mentioned in the twenty-third section of the act aforesaid, and shall be thereof convicted, such person may be confined to hard labor in the state's prison, for a term, not exceeding three years, or be fined, as in said twenty-third section is mentioned, in the discretion of the court, before which such conviction shall be had.*

Punishment for adultery.

Court may fine or imprison.

*See Slade's compiled laws, chap. 31, no. 1, section 22.

No. 3.

An Act, in addition to an act for the punishment of certain capital and other high crimes and misdemeanors.

Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person shall unlawfully and maliciously set fire to, pull down, or in any wise destroy any bridge exceeding twenty feet span upon a turnpike road, or other public bridge, the person so offending, on conviction thereof, shall be confined to hard labor in the state's prison for a term not exceeding ten years, and be fined not exceeding one thousand dollars, or either of said punishments.

Punishment for destroying bridges.

CHAPTER XVII.

OF INFERIOR CRIMES.

No. 1.

An Act, to prevent damage from fire works.

Slade's comp.
laws, chap. 32.

Passed Nov. 1,
1826.

Sale and use of
crack'rs, squibs,
&c. prohibited.

Penalty.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the first day of February next, if any person shall have in his possession any cracker, squib, serpent or rocket, in any town in this state, with intent to sell, or with intent to set fire to the same, or if any person shall offer for sale, sell or give any cracker, squib, serpent or rocket, or shall throw any lighted cracker, squib, serpent or rocket, without the license of the selectmen of such town first had and obtained therefor, he shall forfeit, for every such offence, the sum of five dollars, one moiety to the use of the town where the offence shall be committed, and the other moiety to the use of the prosecutor, to be recovered by an action of debt, before any court of competent jurisdiction, together with costs.

No. 2.

Passed Nov. 4, 1826. An Act, in addition to the act for the punishment of certain inferior crimes and misdemeanors,

Assault and bat-
tery punishable
by fine or im-
prisonment.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person shall commit any assault and battery, or other breach of the peace, for which, by law, a fine may be imposed, and such person shall be convicted thereof, before any county court in this state, and the court, before which such conviction shall be had, shall find the person, so convicted, wholly unable to pay a reasonable fine, such court may sentence the person, so convicted, to confinement in the county jail, for such certain term of time, as the crime may deserve, not exceeding one year.

Impeding au-
thority how
punished.

SEC. 2. — That if any person shall commit the offence in the fifth section of the above named act mentioned, and be thereof convicted, the court, before which such conviction shall be had, may impose a fine as therein provided, and may also sentence such person to be confined to hard labor in the state's.

prison for a term not exceeding three years, or may inflict either of said punishments, in the discretion of the court.*

*See Slade's
compiled laws,
chap. 32, no. 1,
section 5.

No. 3.

An Act, laying duties on licenses for vending or selling lottery tickets, within this state. Passed Nov. 15, 1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from and after the passing of this act, any person, who shall keep for sale, or who shall sell, or offer for sale, any lottery ticket or tickets, or parts of tickets, in pursuance of any grant, by, and under the authority of the legislature of this state, shall be deemed to be, and is hereby declared to be, a seller or vender of lottery tickets or parts of tickets, within the true intent and meaning of this act.

Venders of tick-
ets.

SEC. 2. — That every person who shall, on the first day of December next, be a seller or vender of lottery tickets or parts of tickets, as above described and defined, shall on, or before the said day last aforesaid, and every person who, after the said day last aforesaid, shall become, or intend to become such seller or vender of lottery tickets or parts of tickets, as aforesaid, shall, before he or she shall begin to sell or vend, apply for, and obtain in the manner hereinafter directed, a license for selling and vending lottery tickets or parts of tickets, which license shall be granted for the term of one year, from the date thereof, and no longer, upon the payment of the sum of five hundred dollars, and which license shall be renewed yearly, and every year, upon payment as aforesaid.†

Venders to ob-
tain a license.

†See no. 4, for
additional du-
ties.

SEC. 3. — That it shall be the duty of the several county courts, within this state, in their respective counties at their stated sessions, to grant licenses for selling or vending lottery tickets or parts of tickets, which licenses shall be signed and certified by the clerks of said county courts respectively, who shall issue the same or cause the same to be issued; and shall be granted to any person, who shall desire the same, upon application made for that purpose at any session of said court, and upon payment of the sum aforesaid to the clerk of said county court, as a duty payable by this act upon each license requested and granted as aforesaid: (†and if any person shall wish to become a seller or vender of tickets or parts of tickets within any county in this state during the recess of the county court of such county, then and in that case either of the judges of the county court, in such county, on application of such person, shall grant to him a license to sell or vend lottery tickets or parts of tickets, as aforesaid, for a term not exceeding six

County courts
to grant licen-
ses.

†Repealed, see
no. 4, sec. 2.

Single judge in
vacation may
grant licenses.

Duty of judge & clerk of court.

months, on the payment of the sum of two hundred and fifty dollars to such judge, and in all cases where such selling and vending shall have been commenced, application shall be made and license granted, by the county court in the county where such seller or vender shall reside, and in the county where he intends to vend and sell the same: and it shall be the duty of such judge, granting such license, during the recess of said county court as aforesaid, to pay over to the clerk of such county court, at the next stated term of such court, all monies, which he shall receive for such licenses by him granted as aforesaid, and also to return to such clerk a minute of such licenses by him granted, and which such clerk shall enter on the record.)

Duties to be paid to treasurer for school fund.

SEC. 4. — That the duty for the licenses aforesaid, shall be received by the several clerks of the several county courts, and shall be by them respectively paid over to the treasurer of this state, on or before the twentieth day of October, annually, and the same shall be, and make a part of the school fund of this state for the use and benefit of common schools.

Fees of officers in granting license.

SEC. 5. — That there shall be paid by the person requesting such license as aforesaid, to, and for the use of the judges of said court granting the same, fifty cents, and one dollar, to, and for the use of the clerk of said court, for each and every license granted as above directed by said county court; and to every judge one dollar for his use, for each licence by him individually granted as aforesaid.

License to define place of sale.

SEC. 6. — That every license which shall be granted by virtue of this act shall expressly define the town where the person intends to sell or vend lottery tickets or parts of tickets; and any person, who shall sell or vend lottery tickets or parts of tickets at any other town or place than described in such license, shall, for every such offence, forfeit, and pay the fine hereinafter imposed for selling or vending lottery tickets without license.

Penalty for selling tickets without license.

SEC. 7. — That if any person shall, after the first day of December next, sell or vend any lottery ticket or tickets or parts of tickets, without having first obtained a license therefor, according to the provision of this act, the person so offending shall forfeit and pay, for each and every such offence, a fine of one thousand dollars to the treasurer of this state, with costs of prosecution, on indictment, presentment or information.*

*See no. 4, for additional penalty.

This act to be given in charge to grand jury.

SEC. 8. — That it shall be the duty of the several county courts in this state, at the terms of said courts, to charge the grand jurors impannelled before said courts to make inquiry into, and due presentment make of all breaches of this act.

SEC. 9. — That it shall be the duty of the secretary of state to cause this act to be published in all the newspapers printed in this state as soon as may be.

No. 4.

An Act, in addition to an act, entitled "an act, laying duties on licenses for vending or selling lottery tickets within this state." Passed Nov. 13, 1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any license shall be hereafter granted to any person for vending or selling lottery tickets, or parts of tickets, agreeably to the provisions of the act to which this is an addition, the person applying therefor, on receiving the same, shall pay the sum of one thousand dollars for each and every license granted in pursuance of said act, in lieu of the sum of five hundred dollars, as provided by the second section of the act to which this is an addition.*

License for selling tickets, 1000 dollars:

*See no. 3, section 2.

SEC. 2. — That so much of the act to which this act is an addition as authorizes and empowers the judges of the several county courts in this state to grant licenses for the purposes therein mentioned, during the recess of said courts, and for a period of less than one year, be, and the same is, hereby repealed.†

Repeal of part of act of 1826.

†See No. 3, last clause of sec. 3.

SEC. 3. — That if any person or persons shall violate any provision of this act, or the act to which this is an addition, the person or persons so offending shall forfeit and pay, for every such offence, a fine of two thousand dollars to the treasurer of this state, with costs of prosecution, on indictment, presentment or information, in lieu of one thousand dollars, as provided by the second section of the act to which this is an addition.

Penalty.

SEC. 4. — That it shall be the duty of the several county courts in this state, to charge the grand juries empannelled before the term of said courts, to make inquiry into, and due presentment make of all breaches of this act.

Duty of county courts.

Provided however, That nothing in this act shall affect any thing already done, under the act to which this is an addition.

Proviso.

No. 5.

An Act, in addition to an act, entitled "an act for the punishment of certain inferior crimes and misdemeanors." Passed Nov. 7, 1833.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person shall wilfully, and maliciously kill, cut, wound or maim any cattle, horses, sheep, or swine, belonging to any other person, such offender, upon conviction thereof, before the county court, shall be fined, not exceeding three hundred dollars.

Wilfully and maliciously killing or wounding cattle, &c. how punished.

No. 6.

Passed Nov. 6, 1834, An Act, in addition to an act, entitled "an act for the punishment of certain inferior crimes and misdemeanors."

Penalty for
keeping bawdy
house or place
of prostitution.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person, or persons, shall hereafter keep and maintain, within this state, any common bawdy-house, house of ill fame, or place for prostitution, or shall be aiding, abetting, or assisting therein, every person so offending, his or her assistants, aiders, or abettors, on conviction thereof before any county or supreme court of judicature, shall be confined to hard labor in the state's prison, for a term not exceeding four years, nor less than one year, and be fined not exceeding three hundred dollars, or either of said punishments, in the discretion of the court.

CHAPTER XVIII.

OF THE REMAINS OF THE DEAD.

No. 1.

Slade's comp.
laws, chap. 34.

An Act, against disturbing the remains of the dead.

Passed Oct. 27,
1828.

Penalty for dis-
turbance remains
of the dead.

SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons shall dig up, attempt to dig up, disinter, attempt to disinter, remove, or disturb the remains of any dead person, interred within this state, or be aiding, assisting or abetting therein, on conviction thereof before the county court, in the county where said offence shall have been committed, such person or persons shall be confined to hard labor in the state's prison, for a term, not exceeding three years, or be fined in a sum, not exceeding one thousand dollars, or any, or all of said punishments, in the discretion of the said court.*

*See no. 2.

License in cer-
tain cases.

Provided always, That this act shall not extend to any person or persons acting under the authority of law in cases of inquest, or to any person or persons, having received license in writing from any justice of the peace of the county, and a majority of the selectmen of any town, where such interment was made, to dig up and disclose any dead body, for the purpose of obtaining evidence, or for removal, at the request of friends, or

for public convenience, to be done in the day-time, in the presence of, at least, five good witnesses of the vicinity, which license, any justice of the peace and selectmen, as aforesaid, are hereby authorized, on application, to give.

SEC. 2. — That an act entitled "an act against disturbing the remains of the dead," passed the sixth day of February, in the year of our Lord one thousand eight hundred and four, be and the same is, hereby repealed.*

Repeal of act of 1804.

*See Slade's compiled laws, chap. 34, no. 1.

Provided nevertheless, That the said act, hereby repealed, shall be and remain in full force as to any offences done or committed, before the passing of this act.

Saving clause.

No. 2.

An Act, in addition to an act, entitled "an act against disturbing the remains of the dead," Passed Nov. 8, 1830.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons shall, hereafter, be convicted of either, or all, of the offences described in the act to which this act is an addition, such person or persons shall be confined to hard labor in the state prison for a term not exceeding ten years, nor less than three years, and be fined in a sum not exceeding one thousand dollars, nor less than three hundred dollars, at the discretion of the court before whom such person or persons shall be convicted—any thing in the act to which this is in addition to the contrary notwithstanding.

Disturbing the remains of the dead punished by fine and imprisonment.

No. 3.

An Act, in addition to an act, entitled "an act against disturbing the remains of the dead," passed February 6, 1804, and the act in addition thereto, passed November 8, 1830.

Passed Nov. 3, 1831.

It is hereby enacted by the General Assembly of the state of Vermont, That when any person shall hereafter be complained of for any offence mentioned in either of the acts aforesaid, and shall be brought before a magistrate for examination, and shall, on such examination, be acquitted or discharged, the costs arising thereon shall be paid out of the treasury of the state, after the same shall have been allowed by the supreme court, or either judge thereof, any law to the contrary notwithstanding.

Costs to be paid out of state treasury.

No. 4.

Passed Nov. 8,
1832.

An Act, in addition to an act, entitled "an act in addition to an act, entitled 'an act against disturbing the remains of the dead.'"

Justice of the
peace may issue
warrant to
search dwelling
house.

It is hereby enacted by the General Assembly of the state of Vermont, That any justice of the peace, within his proper jurisdiction; shall, upon the complaint and oath of any person, satisfactory to said justice, that the remains of any dead person have been disinterred and removed, and that the person making such complaint has reason to suspect and believe that the remains of such dead person are secreted in any dwelling house, or other building, such justice of the peace shall issue a warrant, in due form of law, directed to the sheriff of the county where such search is to be made, or to his deputy, or any constable in the same county, commanding them to make search in such place or places for such dead person; and such sheriff, his deputy, or constable; shall not be made liable in any suit or prosecution for executing said warrant, if such dead person is, or is not found.

CHAPTER XIX.

OF FEES FOR INQUEST OF THE DEAD.

Slade's comp.
laws, chap. 35.

An Act, in addition to an act, entitled "an act directing the mode of taking inquisition on the body of a person found dead by casualty or violence."

Passed Nov. 10,
1830.

Fees in inquest
of the dead pay-
able out of state
treasury.

It is hereby enacted by the General Assembly of the state of Vermont, That all compensation and fees, which are now provided by law to be paid to the justice of the peace, the jurors, the officer and the witnesses, attending any inquisition taken upon the body of a person found dead by casualty or violence, shall hereafter be chargeable on the treasury of this state; and the court before whom such inquisition shall be returned, shall audit and allow the account for costs returned therewith, and draw orders on the state treasurer for the payment of the same—any law, usage or custom, to the contrary notwithstanding.

CHAPTER XX.

OF FINES.

An Act, in addition to an act, entitled "an act relative to fines, forfeitures, penalties and costs, and directing the mode of taking recognizances in certain cases." Slade's comp. Laws, chap. 38.

It is hereby enacted by the General Assembly of the state of Vermont, That all fines and penalties, where the whole of said fine or penalty has been made payable into the several county treasuries, other than such as are imposed by the act, entitled "an act directing the mode of obtaining licenses and regulating inns and houses of public entertainment," and the several acts in amendment thereof, or in addition thereto, and the act, entitled "an act laying duties on licenses for selling wines and foreign distilled spirituous liquors,"* imposed on any person or persons for any offence, or for the breach of any penal law, when the prosecution shall have been originally commenced before any county court, shall belong to, and be paid, together with costs, into the state's treasury, for the use of the state.

Passed Nov. 9, 1826.

Certain fines & penalties to be paid into the state treasury.

*See Slade's comp. laws, ch. 63—64.

CHAPTER XXI.

OF LIMITATION OF ACTIONS.

An Act, in addition to the several acts regulating the limitation of actions. Slade's comp. laws, chap. 39.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person, or persons, against whom there is, or may be, any cause of action of a personal or transitory nature, shall go from this state, before such cause of action shall be barred by the statute of limitations, and shall not have known property within this state, which could by the common and ordinary process of law be attached, the statute of limitations shall not run against any such cause of action, during the absence of such person or persons from this state, but the time of such absence shall be deducted, in deciding whether any such cause of action is debarred by the statute of limitations.

Passed Nov. 9, 1832.

Statute of limitations not to run against persons abs't from this state in certain case.

SEC. 2. — That every clause or sentence of any statute of limitations of this state, which exempts, or which might be construed to exempt any person or persons beyond seas, or any person or persons, without any of the United States from the operation of any statute of limitations, be, and the same is, hereby repealed.

CHAPTER XXII.

OF SALARIES AND FEES.

No. 1.

Slade's comp.
laws, chap. 40.

An Act, in alteration of "an act establishing salaries for the judges of the supreme court of this state."

Passed Novem-
ber 9, 1926.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the justices of the supreme court of judicature of this state shall hereafter receive, instead of the salaries heretofore allowed them by law, and as a full compensation for their services, the following salaries, to wit: To each of the justices, the sum of ten hundred and fifty dollars yearly; which respective sums the treasurer of this state is hereby empowered and directed to pay to the justices aforesaid, out of the treasury of this state, in four equal quarterly payments, to commence on the first day of January next.

Salaries of jus-
tices of supreme
court.

Part of former
act repealed.

*See Slade's
compiled laws,
chap. 40, No. 2,
section 1.

SEC. 2. — That the first section of an act, entitled "an act establishing salaries for the judges of the supreme court of this state," passed on the thirty-first day of October, in the year of our Lord one thousand eight hundred and four, be, and the same is, hereby repealed.*

No. 2.

Passed Oct. 30,
1828.

An Act, establishing the salary of the commissioner of the school fund.

Comm'r. to re-
ceive salary of
\$100.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passing of this act there shall be paid to the commissioner of the school fund an annual salary of one hundred dollars, for services to be rendered as commissioner aforesaid, which sum shall be in full compensation for all the duties appertaining to said office.

No. 3.

An Act, in addition to "an act establishing permanent salaries for certain officers and for regulating certain fees and taxable costs." Passed Oct. 23, 1829.

SEC. 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the several keepers of jails, in this state, shall be allowed for diet, fuel and washing, furnished for state prisoners, one dollar and twenty-five cents per week.* Board of prisoners \$1.25 per week.

*See no. 4.

SEC. 2. — That the fifth section of an act entitled, "an act, in addition to an act establishing permanent salaries and for regulating certain fees and taxable costs," passed November ninth, one thousand eight hundred and twenty-two, be, and the same is, hereby repealed.†

Part of act of 1822 repealed.
†See Slade's compiled laws, chap. 40, no. 4, section 5.
For other fees and salaries see ch. 19, no. 1—ch. 62, no. 2—ch. 57, no. 1, & 3—ch. 29, no. 3.

No. 4.

An Act, regulating the price of board of persons confined in jail.

Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That when any person shall be confined in any jail in this state, the keeper of such jail shall not be allowed to charge, or to receive from such prisoner, without his consent, or in any case from the overseers of the poor of the town where such jail is situate, for the board and fuel furnished such person, any greater sum than is now allowed, by law, for the board and fuel furnished state prisoners. Price for board of prisoners regulated.

No. 5.

An Act, in addition to an act, entitled "an act establishing permanent salaries for certain officers and for regulating certain fees and taxable costs," passed November 5, 1821. Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That sheriffs, high-bailiffs and constables, in serving each process by copy, shall be allowed six cents for every hundred words, instead of the sum now allowed by law. Sum allowed sheriffs, high bailiffs, & constables, for copies, regulated.

CHAPTER XXIII.

FORMS OF OATHS.

Slade's comp.
laws, chap. 41.

An Act, regulating the mode of administering oaths, in certain cases therein mentioned."

Passed Nov 6,
1827.

Petit juror's
oath.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That hereafter the oath to be administered to any petit jury or jurors, who may be called to be empannelled for the trial of civil causes in any county court in this state, shall be in the form following, to wit :

Form.

You do solemnly swear ;—or affirm (as the case may be) that you will well and truly try each and every issue which may be given you in charge, during the present term of this court, agreeably to the evidence which shall be given you in court, and the laws of this state, and true verdicts give ;—your own counsel and that of your fellows you will duly observe and keep :—You will say nothing to any person about the business and matters, you may, at any time, have in charge, but to your fellow jurors, nor will you suffer any one to speak to you about the same, but in court, and when you shall have agreed on a verdict, you will keep it secret until you deliver it in court.—So help you God,—or, under the pains and penalties of perjury (as the case may be.)

Oath of officer
attending court.

SEC. 2. — That every officer, who may be called to attend any county court in this state, shall, at each term of the court, before he proceed to execute the duties, which may be assigned him by the court, be sworn in the form following :

Form.

You do solemnly swear, or affirm, (as the case may be) that during the present term of this court, when you shall take charge of the jury empannelled for the trial of any civil cause, you will, after such jury shall have been charged by the court, conduct them to some suitable and convenient room ;—that you will there keep them together and suffer no person to speak unto them, or any of them, upon the business and matters submitted to their charge, until they are agreed, nor will you speak to them yourself about the same, unless by order of court, or to ask them whether they are agreed ; and that you will not, in any cause, disclose the verdict of the jury, or any conversation they may have respecting the business or matters they may have in charge, until they shall have delivered up their verdict in court, or shall be released from their charge by order of court. So help you God,—or, under the pains and penalties of perjury, (as the case may be.)

Repeal of acts
inconsistent
herewith.

*See Slade's
compiled laws,
chap. 41, nov. 1
and 2.

SEC. 3. — That all acts and parts of acts, inconsistent with this act, be, and the same are, hereby repealed.*

CHAPTER XXIV.

OF PROBATE COURTS AND SETTLEMENT OF ESTATES.

No. 1.

An Act, in addition to an act, entitled "an act, constituting Probate courts, and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

Slade's comp. laws, chap. 44.

Passed Nov. 17, 1825.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the probate court of each probate district in this state be, and hereby is, authorized to empower the guardian or guardians of any minor, idiot, lunatic, or distracted person, to sell and convey the real estate of his or their ward, whenever the sale thereof shall, in the opinion of such court, be necessary to the support, or conducive to the interest of such ward,* provided the estate so to be sold shall not exceed the sum of one hundred and fifty dollars in value; and in determining the value of such estate, so to be sold, said probate court shall appoint a committee of three disinterested freeholders of the town, where such estate is situate, whose report, made to such probate court on oath, shall be conclusive as to the value of such estate; and whenever application shall be made to any probate court by the guardian or guardians of any minor, idiot, lunatic, or distracted person, to sell and convey the real estate of his or their ward, such court shall order such applicant to give notice of such application, and of the time when a hearing is to be had, by publishing the substance of the subject matter of the same in some public newspaper, printed in the county where such real estate is situate. And if there be no newspaper printed in such county, then such notice shall be published in the newspaper printed nearest to such real estate; the publications to be inserted two weeks in succession, the last publication to be not less than two weeks previous to the time when such application shall be heard by the probate court; and previous to making sale of any real estate as aforesaid, such guardian or guardians shall be under oath to sell such estate in such manner as in his, her or their judgment, will be most beneficial to his, her or their ward; which sale shall be in the town where the estate, to be sold, is situated.

Probate courts may empower guardians to sell real estate to amount not exceeding \$150.

* See No. 4.

Mode of determining value.

Notice of application for sale, to be published.

Guardians to be under oath.

SEC. 2. — That before any probate court shall grant license to any guardian or guardians to sell any real estate as aforesaid, such court shall take a bond from such guardian or guardians, with good and sufficient sureties, in double the value

Guardians to give bonds.

of the estate to be sold, to secure the value of such estate to his or their ward; and no estate shall be sold, until such bond shall have been given; and such bond shall be taken to the probate court of the district in which the estate to be sold is situate.

Proviso.

Provided, That no probate court shall, in any case, grant license to sell any part or parcel of any one piece of land belonging to any such ward, when the whole piece shall exceed one hundred and fifty dollars in value.

No. 2.

Passed Nov. 1,
1826.

An Act, in addition to "an act constituting probate courts, and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

Reversion of estate assigned to widow may be sold.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any portion of any real estate of any deceased person shall have been assigned to the widow of such deceased person, in lieu of dower, by agreement between such widow and the creditors, mentioned in the ninety-ninth section of the act to which this is an addition, the reversion thereof may be sold, under the order and direction of the probate court, in the same manner and under the same regulations, as is prescribed in cases of sale of the reversion of dower.*

*See no. 5.

No. 3.

Passed Nov. 9,
1826.

An Act, in addition to "an act, constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

Inheritance of father in certain case.

It is hereby enacted by the General Assembly of the state of Vermont, That when any person shall, hereafter, die intestate, seized of any lands, tenements or hereditaments within this state, leaving a widow and no children, nor their legal representatives, his father shall be entitled to one half of said intestate's estate.

No. 4.

An Act, in explanation of, and in addition to, an act, entitled "an act constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

Passed Nov. 13,
1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That after the payment of the debts, legacies, funeral charges and expenses of administration of any testate or intestate estate, as allowed by any probate court, within this state, if it shall appear, by the records and proceedings of any probate courts, in any other state, that the estate of the deceased, lying in such state, is not sufficient for the payment of the debts and legacies, in such state, the said probate court, in this state, is hereby empowered to license and authorize the executor or administrator of said estate to sell the real or personal estate of said deceased for the payment of such debts and legacies, in the same manner and under the same regulations as if said insufficiency appeared by the records of the said probate court in this state.

Provision for
sale of estate
for payment of
debts in another
state.

SEC. 2. — That the probate courts within this state be, and they, hereby, are authorized to empower the guardian or guardians of any idiot, lunatic, non compos, or distracted person, to sell and convey such part of the real estate of his, her, or their ward, as shall be necessary for the payment of the just debts of said ward, or as shall be necessary for the support and maintenance of said ward and his or her family, in the same way executors or administrators are by law empowered to make sale of real estate.

Guardians em-
powered to sell
ward's estate.

SEC. 3. — That if the inventory of any intestate estate shall not exceed the sum of one hundred and fifty dollars, the probate court may, if in the opinion of said court it be necessary, decree and assign, for the support and use of the widow and children of such intestate, or for the support of the children under seven years of age, if there be no widow, the whole of said estate, without said estate being represented insolvent.

Inventory not
exceeding \$150
may be assign'd
to widow or
children.

SEC. 4. — That in all cases, now or hereafter pending before the supreme court by appeal from any order, sentence, decree or denial of any probate court, said supreme court may, on application of either party, in the discretion of said court, cause to be tried by jury, in the county court, any issue of fact formed between the parties, in such case.

Appeals from
probate may be
tried by jury.

SEC. 5. — That the last preceding section shall extend to any issue of fact, on the settlement of the account of any executor or administrator, before the supreme court.

Extent of pro-
vision.

SEC. 6. — That in all cases of the trials of issues of fact, directed by this act, the issues shall be tried by the jury, before the county court of the same county, and the verdict be certified to the supreme court at their next session, and said

Verdict of coun-
ty court to be
certified to sup.
court.

court shall allow cost to the successful party on such issue ; and if exception shall be taken to any fact, found by the report of the commissioners appointed by the court, on the settlement of administrators' or executors' accounts, it may, in the discretion of said court, be tried in the same manner, and cost be taxed; if decided by the jury against the party excepting.

Com'rs. may
admin's'r oaths.

SEC. 7. — That commissioners, appointed by the probate court on insolvent estates, shall have power to administer all oaths to parties and witnesses proper and necessary for the investigation and trial of questions before them.

No. 5.

Passed Oct. 29,
1829.

An Act, in addition to "an act, constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

Widow may
waive provision
in certain case
and claim dower
and assignment.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any person shall, hereafter, die intestate, leaving a widow and no child or children, or legal representative of a child or children, such widow may, at any time, within sixty days after the return of the report of the commissioners on such estate, or in case no such commissioners shall be appointed, within sixty days after the expiration of the time allowed for creditors to exhibit their claims, waive the provisions made by law for widows in such cases, and demand and receive her dower and assignment of personal estate, as provided in the act to which this is in addition.

No. 6.

Passed Nov. 9,
1831.

An Act, in addition to "an act, constituting probate courts, and defining their powers, and regulating the settlement of testate or intestate estates, and the guardianship of minors and insane persons."

Executor or administrator of
insolvent estate
directed to
commence suit

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever, on the settlement of the estate of any testator, or intestate, it shall be made to appear to the court of probate, that the personal, together with the real estate, chargeable by law, with the debts of the deceased, will be insufficient for the payment of the debts, allowed by the commissioners, against said estate, and it shall also, be made to appear to said court, that the testator or intestate, has at any time, executed any deed, or other conveyance of

any real or personal property, or that said testator or intestate, has done, or suffered any other act, coming within the provisions of the fourteenth section of "an act, regulating the conveyances of real estates, and for the prevention of frauds therein,"* or the provisions of the seventh section of "an act, for the punishment of certain inferior crimes and misdemeanors,"† it shall be the duty of the executor or administrator, and he is hereby authorized and empowered, to commence and prosecute, to final judgment, any suit or action, either in law or equity, for the recovery of the said property, so conveyed as aforesaid, for the benefit of the creditors, against said estate, under the direction of the court of probate, on the application of a major part, in amount, of the creditors of said estate.

in certain cases, on application of creditors of estates.

*See Slade's compiled laws, chap. 18, no. 1, sec. 14.

†See Slade's compiled laws, chap. 32, no. 1, section 7.

SEC. 2. — That whenever on the settlement of the estate of any testator or intestate, it shall be made to appear to the said court of probate, that the avails of the real and personal estate, chargeable by law, with the debts of the deceased, have been expended, and the same are insufficient to satisfy, in full, the debts against said estate, or that there is no available fund from which to satisfy the debts as aforesaid, and it shall also be represented to the said court of probate, that the deceased has, at any time, executed any deed, or other conveyance of any lands, tenements, or hereditaments, coming within the provisions of the fourteenth section of "an act, regulating the conveyances of real estate, and for the prevention of frauds therein," the said court of probate is hereby empowered to license, and authorize the executor, or administrator of such estate, on the application of any creditor, and on such terms, as to costs of such application and sale, as the court shall consider just and equitable, to sell so much of said lands, tenements, or hereditaments, so conveyed, as aforesaid, at public auction, or private sale, as will be sufficient to pay so much of said debts, as the estate of such deceased is insufficient to pay. And a sale and conveyance, by the executor, or administrator, agreeably to the provisions of the act, to which this is in addition, of any lands, tenements, or hereditaments, so conveyed by the testator or intestate, as aforesaid, shall be good and valid, as against such fraudulent conveyance, and shall vest in the purchaser, the same title that the testator, or intestate, would have had, in case he had not conveyed, as aforesaid, any law, usage, or custom to the contrary notwithstanding.

Court of probate empowered to authorize executor or administrator to sell estate conveyed by testator or intestate, under certain circumstances.

No. 7.

Passed Nov. 8,
1831.

An Act, in addition to an act, entitled "an act, constituting probate courts, and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and iusane persons," passed November 15, 1821.

Court of probate may empower executors, &c. to sell real estate in certain case.

Proviso:

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the probate court of each probate district in this state be, and hereby is, authorized to empower the executors, or administrators of any testate, or intestate estate, to sell and convey the real estate of any person, who shall have died seized of any lands, tenements, or hereditaments within this state, for the purpose of raising money to pay the debts and legacies of said deceased, in preference to selling personal estate, when it shall appear to the satisfaction of the court, that the creditors will not be injured thereby, and the widow and heirs to said estate, shall make application, in writing, to the probate court for the same, and no good reason being shewn to the court to the contrary. *Provided nevertheless,* That the power herein granted, shall not be so exercised, as to defeat any general, or specific, devise of lands, tenements or hereditaments within this state, without the assent of the devisee or devisees.

Notice to be given.

SEC. 2. — That before any probate court shall grant license to any executor, or administrator, to sell real estate, in preference to selling personal estate, said court shall cause notice of such application to be given to all persons concerned, in all respects, as is required, by law, in other cases of application to probate courts for license to sell real estate.

No. 8.

Passed Nov. 6,
1833.

An Act, in addition to an act, entitled "an act constituting probate courts, and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons," passed November 15, 1821.

On appeal from probate court, supreme court may tax cost for either party.
*See Slade's compiled laws, chap. 44, no. 1, section 7.

It is hereby enacted by the General Assembly of the state of Vermont, That in all cases, where an appeal shall, hereafter, be taken from the probate courts, to the supreme court of judicature, agreeably to the seventh section of the act to which this is in addition, said supreme court shall have discretionary power to tax costs, in such appeal, for either party.*

No. 9.

An Act, in addition to an act, entitled "an act, constituting probate courts, and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons." Passed Nov. 6, 1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever the probate court shall decree the surplussage or residue of any intestate estate to such person or persons as are, by law, entitled to the same, if there be but one heir, or if the several heirs agree, the court aforesaid may decree and assign the same to said heir, or heirs, without appointing a committee for that purpose, as provided in the seventy-ninth section of the act to which this is in addition.

Probate court may assign surplus to heirs in certain case, without appointing committee.

SEC. 2. — That when an executor or administrator of any estate shall have a claim against said estate, which shall be disallowed by the commissioners, and an appeal taken therefrom to the county court, as provided in the ninety-third and ninety-fourth sections of the act aforesaid, notice shall be given to all concerned by publication thereof, under an order of said court, in one newspaper printed within the same county, three weeks successively, the last of which shall be four weeks before the session of the court to which said appeal is taken, if there be so many, if not, as many as there be.

On appeal by executor or administrator from commissioners, notice how given.

SEC. 3. — That whenever the executor or administrator of any estate is a debtor or creditor to said estate, the probate court may, on agreement and application, in writing, by and with all the heirs to said estate, refer any, or all demands and disputes aforesaid, under a rule of said court, to referees, in which case their award, being made and signed under their hands, and accepted by said court, shall be final in said matters.

Probate court may refer claims in certain case.

SEC. 4. — That whenever a citation shall issue from any probate court on the petition or complaint of any person or persons, as provided in the thirteenth, sixty-sixth, and sixty-seventh sections of the act to which this is in addition, wherein such petitioner or complainant fails to make good his complaint, the court may, at discretion, tax costs for said petitionee, and issue an execution for the collection thereof.

Court may tax cost in certain case.

SEC. 5. — That, in taxing the cost as provided in the fourth section of this act, the party recovering shall receive seventy-five cents for a full day's attendance, and fifty cents for a half-day, and five cents per mile for travel; and the court shall receive fifty cents for hearing, and the register fifty cents for recording the proceedings, and twenty-five cents for the execution issued.

Cost how taxed.

SEC. 6. — That the forty-eighth section of the act to

Court empowered to extend time for settlement of estates, not over three years.

Proviso.

which this is in addition, shall be so construed that the probate court may, at discretion, extend the time to settle an estate, from time to time, on application, and after due notice as provided in the act aforesaid, but shall not extend the same for more than one year at any one time :—*Provided nevertheless*, That in no case shall the settlement of an estate be extended to a longer term than three years.

CHAPTER XXV.

OF MARRIAGE AND DIVORCE.

No. 1.

Slade's comp. laws, chap. 45.

An Act, in addition to an act, entitled "an act, regulating marriage and divorce," passed February 28, 1797.

Passed Oct. 26, 1829.

Penalty for celebrating marriage without publication.

*See Slade's compiled laws, chap. 45, no. 1, section 4.

It is hereby enacted by the General Assembly of the state of Vermont, That in all future cases of marriages, coming within the purview of the fourth section of the act aforesaid, the sum forfeited and liable to be recovered shall be not exceeding seventy dollars, nor less than ten dollars, at the discretion of the court.*

No. 2.

Passed Oct. 26, 1831.

An Act, in addition to an act, entitled "an act in addition to an act entitled an act to empower the judges of the supreme court to grant bills of divorce," and to repeal an act therein mentioned, passed November 9, 1822.

Feme covert may gain residence in absence of her husband for petitioning for divorce.

†See Slade's compiled laws, chap. 45, no. 5.

It is hereby enacted by the General Assembly of the state of Vermont, That nothing in the act, to which this is in addition, shall be so construed as to prevent any *feme covert*, in the absence of her husband, from gaining a residence under the provisions of said act, for all the purposes of petitioning for a divorce.†

CHAPTER XXVI.

OF THE POOR, AND LICENSES FOR SHOWS.

No. 1.

An Act, directing the overseers of the poor to make return of the number of paupers in their respective towns. Slade's comp. laws, chap. 47.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the overseers of the poor in the several towns in this state be, and they are, hereby, required and directed to make, annually, in the month of March or April, a return of the number of paupers in their respective towns,—the manner and expense of supporting the same,—the causes, if assignable, which have reduced such persons to pauperism, and the number of law suits, with the expense thereof, in which their respective towns have been a party, in the year preceding, in settling the residence of paupers. Passed Oct. 30, 1828.

Overseers of poor to make certain state-ments—

SEC. 2. — That said overseers shall deliver said statement or return to the person next thereafter elected to represent said town in general assembly, or to the representative of some adjoining town, whose duty it shall be to deliver the same to the secretary of state, who is hereby required to preserve the same, on file, in his office. And return to sec'y. of state.

No. 2.

An Act, in addition to an act, passed Nov. 18, 1824, entitled "an act in addition to an act, entitled 'an act, defining what shall be deemed and adjudged legal settlement, and for the support of the poor; for designating certain duties of the overseers of the poor, and for the punishment of idle and disorderly persons,'" passed March 3, 1797. Passed Nov. 8, 1832.

It is hereby enacted by the General Assembly of the state of Vermont, That the act, to which this is in addition, shall be deemed to extend to circus riding and theatrical exhibitions; and that no license shall be granted under this act, or the act to which this in addition, for a less sum than ten dollars.* Act of 1797 extended.

*See Slade's compiled laws, chap. 47, no. 9.

No. 3.

Passed Nov. 2,
1833.

An Act, in addition to an act, passed Nov. 18, 1824, entitled "an act, in addition to an act, entitled 'an act, defining what shall be deemed and adjudged legal settlement, and for the support of the poor; for designating the duties of the overseers of the poor, and for the punishment of idle and disorderly persons.'"

Penalty for violating first section of former act.

-SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person, or persons, shall be guilty of a violation of the first section of the act, to which this is in addition, the person or persons, so offending, shall forfeit and pay to the treasurer of the town, in which such offence shall be committed, a sum not exceeding three hundred dollars, nor less than fifty dollars.

Sum to be paid for license to exhibit living animals.

SEC. 2. — That the selectmen, or a majority of them, of any town in this state, shall, in no case, grant permission to any person or persons, to exhibit any living animal, or animals, for a sum exceeding three hundred dollars, nor less than fifty dollars, any law to the contrary notwithstanding.*

*See chap. 52, no. 1, sec. 2.

CHAPTER XXVII.

OF THE GENERAL LIST.

No. 1.

Slade's comp. laws, chap. 48.

An Act, ascertaining the principles on which the List of this state shall be made, and directing Listers in their office and duty.

Passed Nov. 17,
1825.

Poll and estate subject to payment of taxes.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the polls, estate, and property of the inhabitants of this state, shall be set in the list, and be liable to the payment of rates or taxes, in the proportion, and under the regulations hereinafter directed.

Polls to be set in the list at §10.

SEC. 2. — That each male person residing in this state, between the ages of twenty-one and sixty years, shall be set in the list, in the town in which such person may reside on the first day of April, at ten dollars for his poll; excepting students of colleges. *Provided,* that the listers, in any town in this state, may exempt the polls of any person or persons, who are, from sickness, or other bodily or mental infirmity, in the opinion of such listers, proper subjects of exemption from rates or taxes. The polls of persons subject by law to do military duty, shall

Except.

Listers may exempt polls of infirm persons.

Militia polls ex.

be exempted from the payment of state taxes. The polls of persons subject by law to military duty, who shall be returned equipped agreeably to the laws regulating and governing the militia of this state, shall be exempted from the payment of all taxes whatever, except highway taxes.* Whenever any minor in this state, who is subject by law to military duty, and belonging to any company of cavalry, or foot company, or to any band of music, duly formed according to law, shall be equipped for such company according to law, at the expense of, and by the parents, masters, or guardians, having the care of such minor, and shall be duly returned equipped, by the officer, whose duty it is by law to make such return, it shall be the duty of the listers to deduct, for each minor so returned equipped, from the list of the person or persons equipping such minor, whether such minor shall belong to a foot company or band of music, the sum of ten dollars, for every purpose, except highway taxes. And if such minor shall belong to the cavalry, and shall be furnished, by the person or persons having the care of such minor, with a suitable horse for such company; in such case the listers shall deduct from the list of the parent, master or guardian of such minor, the sum of thirteen dollars, except for the purpose of highway taxes.† *Provided*, that if it shall appear to the listers, in any town in this state, on due examination thereof, that there has been an improper or false return by the commanding officer of any company of militia, cavalry, or band of music, then said listers are hereby empowered to correct such error, on due proof thereof being exhibited to said listers; and from the list of any person subject by law to do military duty in any company of cavalry in this state, who shall own a suitable horse for the cavalry, and be returned equipped as the law directs, the listers shall deduct the sum of three dollars for such horse. All lands in this state, sequestered and improved for schools, and other public, pious, and charitable uses, shall be exempt from taxation, and shall not be set in the list.‡ And all buildings in this state, other than those sequestered and improved for schools and other public, pious, and charitable purposes, shall be assessed at their fair value, and set in the list at four per cent. of such value, notwithstanding such buildings are situated on public lands.

SEC. 3. — That all property, both real and personal, being in possession of tenants, shall be set in the list of such tenants and the owners in the town in which such tenants reside; and it is hereby made the duty of such tenants, in giving a list of any of such property, to give it in the name of such tenants and owners: and all taxes and rates levied and assessed on such property shall be made up against such tenants and owners, who shall jointly and severally be liable, together with their, and each of their property and estate, to the payment of such rates or taxes: and in all other cases, both real and personal property shall be set in the list of the owner thereof: and

empt from state taxes—equipped, exempt from all except highway taxes.

*See no. 6.

Deduction from list of parent, &c. equipping minor.

Deduction of \$3 for horse of cavalry for minor.

†See no. 7.

Listers may correct improper returns of militia officers.

\$3 to be deducted for horse owned by any one of cavalry.

Public lands exempt.

‡See no. 4, 8.

Buildings set at 4 per cent.

Property to be set to list of owner and tenant.

Tax against owner and tenant.

Real estate liable for payment of taxes.

Proviso.

Personal property not tenanted, to be set to owner.

Wharves and store-houses at 6 per cent. in list of adjoining town.

Buildings and lots appraised separate from other lands.

Property possessed on first day of April, to be listed.

in all cases, and at all times, shall real estate be, and remain liable for the payment of taxes levied thereon, with the costs of collection, until the same be paid. *Provided*, that real estate, not in the possession of a tenant, shall be set to the owner or occupant, in the list of the town where such property is situated; and personal property, not in the possession of a tenant, shall be set to the owner, in the list of the town where the owner resides; that all wharves and store-houses, within this state, shall be assessed by the listers of the several towns adjoining such wharves and store-houses, and set in the list of such towns at six per cent. on the real value, the same as if such wharves and store-houses were within the charter bounds of the towns so adjoining: that buildings, and building lots, on which such buildings stand, not to exceed two acres in any one case, shall be appraised and set in the list separate from other lands. *Provided*, That no log buildings shall be subject to such separate appraisal: that all taxable property in this state, either owned, or possessed, (as the case may be,) on the first day of April in each year, shall be set in the list of the respective towns entitled to receive such lists.

Rate of neat cattle.

Horses.

Stallions.

Jackasses.

Age of animals how determined.

Sheep.

Clocks.

Watches.

Carriages.

SEC. 4. — That personal property shall be valued, and set in the list as follows, to wit:—Each ox, bull, or steer, of four years old, and upwards, at two dollars; each ox, bull, steer, cow, or heifer, of three years old, at one dollar and twenty-five cents; each bull, steer, or heifer, of two years old, at seventy-five cents; each gelding horse, mare, or mule, of three years old, or upwards, valued at twenty-five dollars or under, shall be set in the list at one dollar; each gelding horse, mare, or mule, valued at more than twenty-five dollars, and not to exceed seventy-five dollars, shall be set in the list at three dollars; each gelding horse, mare, or mule, valued at more than seventy-five dollars, shall be set in the list at six dollars; all horse-kind, and mules of two years old, at two dollars each; and all horse-kind and mules of one year old, at one dollar and twenty-five cents each; each stallion of four years old, or upwards, at seventy-five dollars; each stallion of three years old, at thirty dollars; and each jackass at forty dollars: and when any of such animals shall have lived through one, two, three, or four winters, such animals shall be considered, and set in the list, as of one, two, three, or four years old, according to such number of winters; and for the purposes contemplated in this act, the winter of each year shall have ended with the month of March: all and every sheep in this state, that shall have been wintered one or more winters, shall be set in the list of the owner or possessor thereof, at ten cents per head: each house clock of brass, and brass time-piece, shall be set in the list at three dollars; each gold watch shall be set in the list at four dollars, and other watches at one dollar each: all carriages used principally for the conveyance of persons shall be set in the list at six per cent. on the real value in money.

SEC. 5. — *That if any person or persons in this state, on the first day of April, in any year shall have money on hand, or money due, or shall have obligations for money or cattle, or claims for cattle let, or any kind or species of property, whatever, which shall be deemed good and collectable, (whether such obligations have become due, or are payable at a future day) over and above the debts due from such person or persons, the same shall be set in the list of the town where such person or persons reside, at the rate of six dollars for every hundred dollars; † (and bank and insurance stock in this or any other state, actually paid in, shall be set in the list, at the rate of three dollars, for every hundred dollars paid in; and such person or persons shall exhibit and deliver to such listers the amount thereof, on or before the first day of May next ensuing.) And if the listers of any town shall be of opinion that any person or persons, in such town, have neglected to give in, or insert in his, her or their list, such amount, or given in a less amount than they ought; in either case, it is hereby made the duty of such listers to insert what they shall deem to be such deficiency, in the list of such person or persons respectively, according to the best judgment of such listers.

*See no. 7, section 1.

Money and obligations at 6 per cent.

†Repealed, see no. 2; see also no. 11.

Bank and insurance stock at 3 per cent. owner to give in by May 1.

Listers may assess such as do not return proper am't.

SEC. 6. — ‡That all practising attorneys, within this state, shall be assessed in the list in the respective towns where they reside, at a sum not less than ten dollars, and not exceeding three hundred dollars, according to their respective gains; and all practitioners of physic or surgery, within this state, shall be assessed in the list, in the respective towns where they reside, at a sum not less than ten dollars, and not exceeding three hundred dollars, according to their respective gains; and all merchants or traders within this state, shall be assessed and set in the lists, in the several towns, to which they belong, the least at fifteen dollars, all others in proportion to their several gains, taking into consideration the capital employed in said business, not to exceed six hundred dollars;|| and all mills, stores, distilleries, furnaces, and all other machinery, shall be assessed at the value thereof in money, and shall be set in the lists of the owners thereof, in the several towns to which they belong, at six per cent. on said value, and the situation and income of such property, shall be taken into consideration by such listers in estimating the value of such property; and all mechanics, or manufacturers in this state, shall be assessed and set in the list in the several towns to which they belong, in proportion to their several gains, not exceeding one hundred dollars, according to the best discretion and judgment of the listers.

‡See no. 7, section 1.

Attornies.

Physicians and surgeons.

Merchants and traders:

||See no. 9.

Mills, stores, distilleries, furnaces and machinery at 6 per cent.

Mechanics and manufacturers.

SEC. 7. — That it shall be the duty of the listers of the several towns in this state, or a majority of them, annually, on or before the tenth day of April, to post up a notification in three or more of the most public places in their respective towns, warning all the inhabitants, liable to pay rates or taxes, to exhibit and deliver to the listers, or some one of them, on or

Listers to post up notifications by 10th April annually.

Property to be listed April 1.

Persons not exhibiting list, to be two-folded.

Proviso.

Relief where property is inserted in list by mistake.

Listers neglecting to give notice, by April 10, to make personal demand of list, and may supply list of delinquents.

Improved lands at 6 per cent.

Buildings and building lots of 2 acres at 4 per cent.

before the first day of May next following, true lists of their polls, and also all their personal property, and money on hand, and money and debts due, and also, all bank and insurance stock actually paid in, on which they are liable to pay rates or taxes in such town, of which they were possessed or shall have owned, on the first day of April of the same year—particularly mentioning in said lists, all such polls—the number, and different kinds of personal property—with the ages of the animals annexed, so far as to determine the manner of assessment, signed with their names respectively. And all persons are hereby required to exhibit and deliver true lists of their respective polls and property to the listers entitled to receive such lists, agreeably to the intent of this act, on pain of being two-folded, at the discretion of such listers. *Provided*, that in no case shall two-folds be assessed, when such listers have omitted to post up a notification as above directed.

SEC. 8. — That whenever any person or persons, through mistake, shall give in property in his, her or their list, which such person ought not, or was not bound to have given in, or in case any person shall be two-folded, on any polls or property, which such person was not under obligation to have given in, in his, her, or their list, in either such case, when the listers shall refuse to grant reasonable relief on due proof thereof, such person or persons, so aggrieved, may appeal to the selectmen.

SEC. 9. — That if the listers, in any town in this state, shall neglect, or omit to set up notifications by the tenth day of April, warning the inhabitants to exhibit and deliver their lists, as is heretofore provided in this act; in such case, the listers, or some one of them, shall demand a true list of such person or persons as shall not have delivered such list, agreeably to the intent and meaning of this act. And if any person or persons shall neglect, for ten days after such demand made, to exhibit or deliver to such listers or some one of them, a true list of the polls and personal property of which he, she, or they were possessed, and liable to pay taxes for, on the first day of the preceding April; then such listers shall make out a list for such person or persons, according to their best discretion and judgment, and enter the same in the general list of the town: and such person or persons shall be liable to pay all such rates or taxes, as shall be granted, assessed or levied on such list.

SEC. 10. — That all real estate, excepting building lots, not exceeding two acres, with the buildings thereon, and lands and buildings exempted from taxation by this act, and excepting lands that have not been improved, either for pasturage, mowing, or tillage, shall be appraised by the listers of the respective towns where such real estate is situate, and set in the list of such town at the rate of six per cent. on the real value thereof in money; and building lots, not exceeding two acres, with the buildings thereon, shall, by such listers, be appraised and set in the list, at the rate of four per cent. on the real value

thereof in money; and the soil, situation, and income of such property, shall be taken into consideration by such listers in estimating the value of such property.

SEC. 11. — That the first appraisal and assessment of real estate, on which state and county taxes shall be levied or assessed, shall be made by the listers of each town between the first day of May, and tenth day of June in the year of our Lord one thousand eight hundred and twenty-seven; and between the first day of May and tenth day of June, in every fifth year thereafter; and in the appraisal and assessment of such real estate, the listers shall appraise each building lot, (not exceeding two acres in any one case,) with the buildings thereon, as being one entire tract; and all other lands shall be valued and assessed by the acre, at such average rate as each entire tract of land is worth in money: and the said listers shall designate in the list by them made, in what school-district each entire tract or parcel of such real estate is situated.

Appraisal of real estate to be made between May 1 and June 10, 1827, and in every fifth year thereafter, at its value in money.

Location in school-districts to be designated.

SEC. 12. — That it shall be the duty of the listers in the several towns in this state, in each year, to make a list of all property by them appraised or assessed at a certain rate per cent. with all other assessments by them made, according to their discretion or judgment, including money on hand, debts due, and bank and insurance stock, particularly mentioning the several kinds of property, the quantity or amount—with the appraisal and assessment annexed respectively—with the names of the occupant and owner, and the persons so assessed, thereto annexed, arranged in alphabetical order, and in separate and distinct columns, and lodge the same with the town clerk of their respective towns, on or before the twentieth day of June of the same year, for the perusal and inspection of the persons so assessed. And the selectmen of each town are hereby constituted a board of relief for their respective towns, and shall have power, except in cases of money on hand, debts due, and bank and insurance stock, on application to them made, to make examination, and may reduce the assessments of the persons so applying, to such sum, as will, in their opinion, be in due proportion to the assessments of other inhabitants of such town, as made by the listers; and such assessments so corrected by the selectmen, or a majority of them, and by them certified, shall be accepted by the listers, and be set in the list of such persons so applying, if the same shall be returned to such town clerk, on or before the twentieth day of August. *Provided however*, that no such assessment shall be so reduced, or relief granted in any case by the selectmen, except the person applying therefor shall give notice to one or more of the listers of such town, of the time and place that the selectmen will attend to the same. And the selectmen shall, in like manner, have power, on application to them made, to grant reasonable relief where two-folds shall be illegally assessed or imposed; and also, where any person, by mistake, shall have given in

Listers to make return of all property, by them appraised or assessed, to town clerk by June 20.

Selectmen may relieve persons aggrieved and reduce certain assessments.

Persons applying for relief, to give notice to listers.

Selectmen may relieve against two-folds, and correct errors.

property in his or her list, which it is not the duty of such person so to do.

Relief of persons aggrieved by assessment for money on hand, &c.

SEC. 13. — That when any person or persons shall think that he, she or they are assessed by the listers for money on hand, and debts due, or for bank or insurance stock, in a greater sum than is just and reasonable; such person or persons may apply to the selectmen, or a majority of them, of the same town, and make disclosure on oath before such selectmen, any one of whom is hereby empowered to administer said oath in the form following, to wit:

FORM OF OATH.

Oath of person disclosing.

*Virtually repealed, see no. 7, sec. 3; also no. 10.

Disclosure to be returned to town clerk.

Listers to inspect lists in Sept. and add two-folds.

Disposal of two-folds.

You, A. B. do solemnly swear (or affirm, as the case may be) that you will make a true and faithful disclosure of all monies on hand, debts due, or bank and insurance stock, or obligations payable either in money or any other property, whether such obligations have become due, or are payable at a future day, over and above what is due or owing from you, according to your best judgment and knowledge—so help you God.* And a disclosure, made in writing, and certified by such selectmen, and lodged with the town clerk of such town, on or before the first day of August, shall be taken by the listers, as the true sum in which such person or persons shall be so assessed.

SEC. 14. — That it shall be the duty of the listers of the several towns in this state, in the month of September in each year, to inspect the lists of their respective towns, and add thereto such two-folds as are allowed by law. And the persons, thus two-folded, shall be liable to pay rates or taxes according to such two-folds; one moiety of which rates or taxes arising from such two-folds, shall be paid over to such listers, by the constables or collectors of such rates or taxes, after the same shall be collected; which moiety of such two-folds, after being collected, and demand thereof having been made by such listers of such constables or collectors, such listers may recover such moiety of two-folds of, and from such constables or collectors, in an action for money had and received, brought on this statute, before any court of competent jurisdiction; and the remainder of such rates or taxes shall be collected and paid to and for the use for which such rates or taxes shall be assessed and levied; and the listers shall add the sum total of such two-folds to the general list, particularly entering such total of two-folds as a separate item, agreeably to the form in this act prescribed.

Keeper of stallion or jackass bro't into any town between April 1 and August 1, to give security for payment of taxes, in certain cases.

SEC. 15. — That if any stallion or jackass shall be brought into any town in this state, between the first day of April and the first day of August, for the purpose of being there kept, for covering, for any part of the season, it shall be the duty of the listers of such town, as soon as may be, to require of the person in whose possession such animal shall be kept in said town, to give security to the satisfaction of such listers for the payment of all rates or taxes which may be assessed on

such animal in said town, unless such person shall produce proof, to the satisfaction of such listers, that such animal has been duly set in the list of some other town in this state, for the same year. And in case such person shall fail to give such security, or produce such proof, within ten days after such requirement is made, it shall be the duty of such listers to give notice thereof to the treasurer of such town, and the keeper and owner of such animal, or either of them, shall forfeit and pay to the treasurer of said town five dollars for each mare such stallion or jackass shall be put to and cover, within said town, during such season. And it is hereby made the duty of the treasurer of such town, and he is hereby empowered to sue for, and recover of and from such keeper and owner of such animal, or either of them, all such penalty or penalties, with costs, in the name of such treasurer, before any court proper to try the same. And it is hereby made the duty of the listers of any town in this state, in which any stallion or jackass, of three years old or upwards, has been set in the list of such town, to give a certificate to that effect to any person requesting the same.

Penalty for neglecting to give security.

Town treasurer to prosecute.

Listers to give certificate that stallion or jackass has been set in list.

SEC. 16. — That the listers of the several towns in this state shall, on or before the tenth day of December in each year, make out and deliver to the town clerks of their respective towns, a particular and fair list of the polls, estate and property of the several inhabitants of their respective towns, together with all their appraisals and assessments, averaged and corrected, as is provided in this act, arranged in separate columns, with the occupant and owner's name annexed, in alphabetical order, together with all two-folds, inserted in a separate column, certified under the hands of the listers, taking such town clerk's receipt for the same; and the town clerks respectively, shall certify to the county treasurer, the sum total of such lists, on or before the first day of January next following.

Lists of towns to be delivered to town clerks by Dec. 10.

Town clerks to certify amount of list to county treasurer by January 1st.

SEC. 17. — That the listers of the several towns in this state, shall, in each year, make a general list of the polls, and the personal property in their respective towns, (of which list shall have been taken) together with all assessments, other than assessments of real estate—and return such list to the general assembly by the fifteenth day of October, of the same year. And the listers of the several towns in this state shall, in the year of our Lord one thousand eight hundred and twenty-seven, and in every fifth year thereafter, make a general list of the real estate and property, in their respective towns, particularly specifying the number of acres of land, and the sum appraised at; the number of buildings, with the lots appurtenant, and sum appraised at; the number of mills, stores, distilleries, furnaces and all other machinery, with the sum appraised at; together with such assessments as shall have been made by such listers on attorneys, physicians, surgeons, merchants, traders and mechanics of all kinds, and return the same to the general as-

List to be returned to general assembly by October 15.

Appraisal of real estate to be made in 1827, and every five years after, and to be returned to general assembly by 15th October of same year.

On failure of returns, towns may be doom'd.

Towns not doomed, unless list amounts to \$2000.

*See chap. 26, no. 1.

Meeting of listers.

Method of equalising assessments of towns and counties; general directions for return and correction of lists.

sembly, by the fifteenth day of October of the same year, after the same shall have been averaged in the county, as is in this act provided: and on failure of the listers in any town to return such list to the general assembly, or if they shall fail to insert in the list of such town a sufficient amount of money on hand, debts due, or bank and insurance stock, in the opinion of the legislature—in any such case, the legislature may doom such town, in such sum as they shall think proper. *Provided*, that no town, that is not represented in the general assembly, shall be doomed to pay state taxes, until the list of such towns shall amount to the sum of two thousand dollars.*

SEC. 18. — That a lister from each town, to be designated by the listers of such town, shall meet at the court-house in the county in which such town is situated; the listers in the county of Bennington, at the yellow church in Arlington, and the listers in the county of Chittenden, at the meeting-house in Williston, on the third Tuesday of September, in the year of our Lord, one thousand eight hundred and twenty-seven, and thereafter once in five years, on the day and month aforesaid; and if shall be the duty of such listers to produce the list of their respective towns, containing the appraisal of the real estate, together with all such assessments as shall have been made in their respective towns, attested by the town clerk; and the listers so met, shall examine, average, and equalize the quantity of land, and the estimation and valuation of real estate, and also such assessments of any town in such county, by adding thereto, or deducting therefrom, such number of acres and rate per centum, as shall render the quantity of land, and the valuation and assessments of the several towns in such county, just and equitable, comparing one with the other; and the listers so met, shall cause a certificate to be endorsed on such lists, describing the alterations made therein; which lists shall be returned to the listers of their respective towns; and the listers of such towns, respectively, shall send such lists, so certified, as aforesaid, to the general assembly, by the fifteenth day of October of the same year, to be delivered to the committee that may be appointed by the legislature, to average the list of real property and assessments throughout the state, for the use and inspection of such committee, in making such average; and the general assembly, at their session next after such appraisal, shall appoint a committee of one member from each county, who shall examine the lists of valuation and appraisal of the real estate and assessments mentioned in this act, returned from the said several counties, and equalise the quantity of land, and the estimation and valuation of said property, together with said assessments, by adding to, or deducting from the list of any county, such number of acres and assessments, such rate per centum, as shall render the estimation and valuation of such real estate and assessments, in the said several counties, just and equitable; and every alteration, made in the list of each coun-

ty by such committee, shall be entered and certified on the list of each town ; and such lists, after such average and certificate, shall be returned to the listers of the respective towns to which they belong ; and such listers shall then proceed to finish their lists, by making the additions or deductions, so made by the county and state average, and make out one entire list, and return the same to the town clerk, by the tenth day of December, as is provided in the sixteenth section of this act ; on which, state, county, town, and other taxes shall be made, subject to the provisions contained in the nineteenth section of this act.

SEC. 19. — That each town in this state, in any year, when, in the opinion of such town, it shall be deemed expedient to make an assessment and appraisal of the real estate in such town, on which town, school and highway taxes shall be assessed and raised (including the annual two cent tax for the support of schools) such town may, at their annual March meeting, or at their adjourned meeting in April, by vote of such meeting, direct the listers of such town, to proceed and make such appraisal and assessment ; and such appraisal and assessment shall, in all cases, be governed by the laws regulating the appraisal and assessment, on which state and county taxes shall be raised : and it is hereby made the duty of the listers in their respective towns, on due proof to them made, of the transfer of real estate in such towns, so as to shift the liability of persons to pay taxes thereon, to insert such property so transferred, in the list of such person or persons, so liable to pay rates or taxes thereon, and lodge a certificate thereof with the town clerk of such town, on or before the first day of June ; and when real property or estate in any town, shall be destroyed by fire, or otherwise, or when any buildings are erected, or other improvements made thereon, it shall be the duty of the listers of such town, to deduct from, or add to, the valuation of such property and assessment thereon, from or to, as the case may require, the list of the person or persons liable to pay rates or taxes thereon, so far as to reduce or raise the list of such person to a just proportion with the assessments of such town, and certify the same in the annual list by them made.

Towns may make appraisal and assessment for purpose of town taxes, &c.

Provision in case of transfer, increase or destruction of estate secured.

SEC. 20. — That the general list to be returned to the general assembly, shall be made in the form following, and shall be signed by the listers of the respective towns, with a certificate from a justice of the peace, or the town clerk of the same town, certifying that the said listers were duly sworn to the faithful discharge of their office and duty, previous to the tenth day of the preceding April, to wit :

Form of general list.

STATE OF VERMONT.

<i>General List of the town of</i>		<i>for the year</i>	
No.	Polis at \$10		is \$
	Acres of land appraised at \$	assessed at six	
	per cent.		is

Houses and lots appurtenant, appraised at \$	
assessed at four per cent.	is
Mills, stores, distilleries, &c. appraised at \$	
assessed at six per cent.	is
Oxen at \$2	is
Cows and other cattle of 3 years old, at \$1,25	is
Cattle of 2 years old, at \$0,75	is
Horses and mules, of three years old and up-	
wards, valued at \$25 or under, at \$1	is
Horses and mules over \$25, and not exceeding	
\$75, at \$3	is
Horses and mules, over \$75, at \$6	is
Horses and mules of 2 years old at \$2	is
Horses and mules of 1 year old at \$1,25	is
Stallions of 4 years old and upwards, at \$75	is
Stallions of 3 years old at \$30	is
Jacks at \$40	is
Sheep at 10 cents per head	is
Carriages assessed at six per cent.	is
House clocks of brass—and brass timepieces	
at \$3	is
Gold watches at \$4	is
Common watches at \$1	is
Money on hand and debts due, at six per cent.	is
Bank and insurance stock, at three per cent.	is
Attornies assessed in the whole at \$	is
Practitioners of physic and surgery assessed	
in the whole at \$	is
Mechanics and manufacturers assessed in the	
whole at \$	is
Merchants and traders assessed in the whole	
at \$	is
Amount, including whole of two folds	
Deduct for minors equipped for military duty	
by parents, masters or guardians, at \$10*	
Deduct one half of two-folds, added in the sev-	
eral items in said list,	is
Militia polls, other than those who are equip-	
ped, exempted, at \$10	is
Horses of cavalry exempted, at \$3	is
Amount deducted—	

Balance, being the true list for state tax—

SEC. 21. — That any lister, who shall wilfully fail or neglect to perform the duties required by this act, shall forfeit and pay a sum not exceeding fifty dollars, in the discretion of the court, to be recovered by information or indictment, before any court having competent jurisdiction to try the same, for the use and benefit of the town in which the offence is committed.

SEC. 22. — That all state and county taxes, until the year one thousand eight hundred and twenty-seven, to be lev-

*See no. 5.

Penalty on listers who neglect to perform their duty.

State and

ied and raised on real estate, shall be made up on the appraisal, and assessment and average of real estate, made in the year one thousand eight hundred and twenty-four.

county taxes to be made on list of 1824, until 1827.

Sec. 23. — That all acts, and parts of acts, ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty, heretofore passed, be, and the same are, hereby repealed. *Provided*, that nothing herein shall be construed to affect any acts or things done, rights accruing, or prosecutions commenced, under any former act.*

Repeal of all former acts relating to lists and listers.

*See Slade's compiled laws, chap. 48.

No. 2.

An Act, repealing part of an act entitled "an act, ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Passed Nov. 14, 1826.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the fifth section of said act as requires the citizens of this state, owning stock in bank and insurance companies, out of the state, to give said stock into the list, be and the same is, hereby repealed.†

Foreign bank & insurance stock not taxable.

†See no. 10; also sec. 5, no. 1.

No. 3.

An Act, in addition to "an act, ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Passed Nov. 13, 1827.

It is hereby enacted by the General Assembly of the state of Vermont, That the clerk of the general assembly shall, at the expense of the state, cause to be printed and distributed to the town clerks of the several organized towns, in this state, in such manner as he shall deem expedient, suitable blanks, in the proportion of at least one line to every four inhabitants of such town, upon which to make up the grand list of said town; and also a blank to each town upon which to make the annual return to the general assembly, required to be made by the act to which this is in addition.‡

Clerk of general assembly to furnish towns with blanks for lists.

‡See chap. 57, no. 5.

No. 4.

Passed Oct. 26,
1827.

An Act, in explanation of an act therein mentioned.

*See no. 1, sec-
tion 2.

Exemption of
buildings on
certain lands
from tax.

It is hereby enacted by the General Assembly of the state of Vermont, *That so much of the second section of an act entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," passed the seventeenth day of November, in the year of our Lord one thousand eight hundred and twenty-five, as directs the assessment of buildings, notwithstanding such buildings are on public lands, shall not be construed to extend to the buildings on lands in any town in this state in which the lands and tenements are, *by charter*, exempted from public taxes.

No. 5.

Passed Nov. 5,
1827.

An Act, in addition to an act entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Addition to
form of return
of lists.

It is hereby enacted by the General Assembly of the state of Vermont, That the general list to be returned to the general assembly as described in the twentieth section of the act, to which this is an addition, shall be so amended that the following words shall be added: "*Militia polls, who are equipped, exempted at \$10 is—*," and that the foregoing words shall be added immediately after the words: "*Deduct for minors equipped for military duty by parents, masters or guardians at \$10, is—*"; and that the foregoing words shall be a part of said twentieth section.†

†See no. 1, sec-
tion 20.

No. 6.

Passed Oct. 29,
1828.

An Act, in addition to an act entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Construction of
act of 1825.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That highway taxes, mentioned in the second section of an act, entitled "an act ascertaining the principles on which the list of this state shall be made and directing

listers in their office and duty,"* shall be construed to extend to such taxes only, as shall be assessed for making and repairing highways and building bridges, as are made payable in labor.

*See no 1, section 2.

Sec. 2. — That an act entitled "an act explanatory of the second section of an act, entitled, an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," passed the thirteenth day of November, one thousand eight hundred and twenty-seven, be, and is, hereby, repealed.

Repeal of an act of 1827—omitted in this compilation.

Provided, That this act shall not be construed to affect any tax already raised. Proviso.

No. 7.

An Act, in addition to an act, entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," passed November 17, 1825. Passed Oct. 23, 1829.

Sec. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That whenever the listers, in any town within this state, shall assess any person or persons, for money on hand, debts due, bank or insurance stock, or shall assess any attorney, physician, surgeon, merchant, trader, mechanic or manufacturer, who shall not have been assessed the preceding year, or who shall be assessed in a greater sum than the assessment of such person the preceding year, it shall be the duty of such listers, or some one of them, to notify the person or persons, so assessed, either verbally, or by placing in his, her or their hands, or leaving at the last and usual place of abode of such person or persons so assessed, if within said town, a written or printed notice, on or before the thirtieth day of June, in the same year, therein specifying the property or faculty assessed, together with the amount of such assessment.†

Notice of assessments to be given in certain cases.

Sec. 2. — That the listers, in the several towns in this state, may at any time, within thirty days from the twentieth day of June, in each year, make any deduction from the several assessments by them made, and of which a list shall have been lodged with the town clerk, agreeably to the provisions of the twelfth section of the act to which this is in addition, in case it shall be made to appear to their satisfaction, that such deduction ought to be made.

†See no. 1, section 6.

Sec. 3. — That the time mentioned in the thirteenth section of the act aforesaid, on or before which, the disclosure in writing, in said section mentioned, is to be lodged with the town clerk, shall, hereafter, be the twentieth day of August, of each year instead of the first day of August; and the form of the oath, prescribed by the said section, shall, hereafter, be as follows, to wit:

Listers may revise assessment.

Disclosure of money to be made &c. by August 20.

Form of oath.

"You A. B. do solemnly swear (or affirm, as the case may be,) that you will make a true and faithful disclosure of all moneys on hand, debts due, or bank and insurance stock, or obligations, payable either in money or any other property, of which you were possessed on the first day of April last, whether such obligations were then due or were payable at an after day, over and above what was then due or owing from you, according to your best judgment and knowledge. So help you God."*

*Virtually repealed; see no. 10.

No. 8.

Passed Nov. 7,
1833.

An Act, in addition to an act, entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Lands & buildings improved for purposes of education, exempt from taxation.

It is hereby enacted by the General Assembly of the state of Vermont, That all lands, or buildings, holden, occupied, or improved, for the purposes of education, be, and the same are, hereby, exempt from taxation. *Provided,* That nothing in this act shall be construed to exempt said lands, or buildings from taxation longer than they shall be holden, occupied, or improved, for the purposes aforesaid.

Proviso.

No. 9.

Passed Nov. 7,
1833.

An Act, in addition to, and explanation of an act entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," passed November 17, 1825.

Provisions of former act extended.

It is hereby enacted by the General Assembly of the state of Vermont, That the words, "merchants and traders," used in the sixth section of the act, to which this act is an addition, shall be construed to extend to, and include all dealers in lumber, or lumber contracts, whether of manufactured or unmanufactured lumber.†

†See no. 1, section 6.

Provided, This act shall not be construed to extend to those dealers in lumber, whose trade does not exceed the amount of five hundred dollars, annually.

Proviso.

No. 10.

An Act, in addition to, and alteration of an act, entitled "an act in addition to an act entitled 'an act, ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty,'" passed October 28, A. D. 1829. Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That the form of the oath, prescribed in the third section of the act to which this is in addition, shall hereafter be as follows, to wit :

"You A. B. do solemnly swear (or affirm, as the case may be) that you will make a true and faithful disclosure of all bank and insurance stock, all monies on hand, debts due, or obligations, whether such debts or obligations are secured by mortgages or not, payable either in money or any other property, of which you were possessed on the first day of April last, whether such debts or obligations were then due, or were payable at an after day, over and above what was then due or owing from you, according to your best judgment and knowledge. So help you God."

Form of oath.

No. 11.

An Act, in addition to, and alteration of an act entitled, "an act ascertaining the principles on which the list of this state shall be made, and directing the listers in their office and duty." Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That all bank and insurance stock in this state, actually paid in, shall be put in the list at the rate of six dollars for every hundred dollars paid in, instead of the amount now provided in the fifth section of the act to which this is in addition.* Bank and insurance stock to be set in list at six per cent.
*See no. 1.

CHAPTER XXVIII.

OF COLLECTION OF TAXES.

No. 1.

An Act, relating to the collection of state taxes.

Slade's comp.
laws, chap. 49.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any town, in this state, Passed Oct. 29, 1829.

Warrant not to issue when list of unrepresented town does not exceed \$2000.

Duty of engrossing clerk.

shall not be represented in the general assembly, and the grand list of such town shall not exceed two thousand dollars, it shall be the duty of the treasurer not to issue a warrant for the collection of a state tax on the list of such town.

SEC. 2. — That it shall be the duty of the engrossing clerk, on or before the twentieth day of October, annually, to make and deliver to the treasurer, a catalogue of the organized towns, that are not represented in the general assembly.

No. 2.

Passed Nov. 8, 1831.

An Act, limiting the time for the collection of state and other taxes.

Duty of collector of taxes.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any constable, or a collector, of any taxes, within this state, shall, hereafter, receive any rate, or tax bill, for collection, it shall be the duty of such constable, or collector, at the time of receiving such rate or tax bill, to endorse thereon the true day of the month, and year, when he received the same; which endorsement shall be signed by such constable, or collector, with his official name.

May enforce collection at any time within three years.

SEC. 2. — That any constable, or collector, of rates or taxes, within this state, who shall, hereafter, receive any rate, or tax bill for collection, against any person or persons, shall have power to enforce the collection of such rates, or taxes, by distress, extent, arrest, or otherwise, as is provided by law, at any time, during the three years next succeeding the time when such rate or tax bill shall be put into the hands of such constable, or collector, as aforesaid, and not afterwards, any law, custom or usage of this state, to the contrary notwithstanding.*

*See chap. 29, no. 2, for additional law on this subject.

In case person is absent out of state payment may be enforced within three years after his return, &c.

SEC. 3. — *Provided always, and it is hereby further enacted,* That if any person, or persons, against whom any constable, or collector, as aforesaid, shall, or may have, any rate or tax, shall, at the time when such rate or tax bill was put into the hands of such constable, or collector, reside without this state, and shall not have known property, or estate, therein, liable, by law, to distress or extent, for the payment of such rate or tax, against such person or persons; or if any person, or persons, against whom any constable, or collector, as aforesaid, shall, or may, have any rate or tax, shall, within one year, next after the time when such rate or tax bill was put into the hands of such constable, or collector, remove without this state, and shall not have any known property, or estate, therein, liable, by law, to distress or extent, for the payment of such rate or tax; against such person or persons, that then, and in every such case, such constable or collector shall have power,

according to law, to enforce the collection of rates or taxes against any, or all persons, so absent, or removing, as aforesaid, at any time, within three years, next after such absent person's coming, or return, into this state, and not afterwards.

CHAPTER XXIX.

OF TOWN MEETINGS AND TOWN OFFICERS.

No. 1.

An Act, in addition to the several acts, regulating town meetings, and the choice and duty of town officers. Slade's comp. laws, chap. 50.

It is hereby enacted by the General Assembly of the state of Vermont, That the several towns within this state, at their annual March meetings, may make such by-laws and regulations, relating to dogs, as they may think proper; any law, usage or custom, to the contrary, notwithstanding. Passed Nov. 12, 1825.
Towns may make by-laws relating to dogs.

No. 2.

An Act, in addition to an act entitled "an act regulating town meetings, and the choice and duty of town officers," passed February 28, 1797. Passed Oct. 29, 1828.

It is hereby enacted by the General Assembly of the state of Vermont, That in addition to the duties heretofore prescribed by law for collection of taxes, it shall be the duty of the collector of taxes, for any town, school district, parish or society in this state, already appointed, or who may be, hereafter, appointed, at the annual, or any other meeting of such town, school district, parish or society, legally warned for that purpose, to receive, collect and account for all arrearages of taxes, due and uncollected, on any rate or tax bill, which may have been committed to any of his predecessors in office for collection, in all cases where the office of collector shall have become vacant by reason of the death of any such collector, or by reason of the actual removal of any such collector out of the town, school district, parish or society, for which he was appointed, or by reason of any such collector becoming *non compos mentis*, or otherwise incapacitated, in the opinion of the Collectors to receive tax bills of predecessors.

Right and duty
of collector.

town, school district, parish or society for which said collector was appointed; and in every such case, the person filling such vacancy is authorized to take up the business, appertaining to his office, where any of his predecessors in office may have left it, and to proceed to the full execution and discharge of the same, as fully, to all intents and purposes, as any of his predecessors, might or could have done, and shall be liable to the same penalties, and forfeitures, for not accepting or not taking the oath of office, and for every neglect of duty, as collectors of town rates or taxes are now made liable to, by law.*

*See chap. 23,
no. 2.

No. 3.

Passed Nov. 9, 1881. An Act, in addition to an act entitled "an act, regulating town meetings, and the choice and duty of town officers," passed February 23, 1797.

Town clerks to receive the same fees for recording births and deaths as for recording marriages.

It is hereby enacted by the General Assembly of the state of Vermont, That the town clerks of the respective towns in this state, shall be entitled to, and receive the same compensation for recording births and deaths, in all cases, where it is their duty, by law, to record the same, as is, by law, allowed for recording marriages, to be paid out of the treasury of the town where such record is made.†

†See Slade's
compiled laws,
chap. 40, no. 3.

No. 4.

Passed Nov. 4,
1833.

An Act, to repeal an act therein mentioned.

Former act repealed.

It is hereby enacted by the General Assembly of the state of Vermont, That the act in addition to an act, entitled, "an act regulating town meetings, and the choice and duty of town officers," passed January thirty-first, in the year of our Lord one thousand eight hundred and four, be, and the same is, hereby repealed.‡

‡See Slade's
compiled laws,
chap. 50, no. 2.

No. 5.

Passed Nov. 6, 1834. An Act, in addition to the act regulating town meetings, and the choice and duty of town officers.

SEC. 1. *It is hereby enacted Assembly by the General of the state Vermont,* That when any deed shall be left in the

town clerk's office, in any town in this state, it shall be the duty of the town clerk to enter upon the record of such deed the true time of the day when the same was received in his office, and also to make a certificate thereof on such deed, and sign the same officially.

Town clerk to enter upon record true time when deed was received, &c.

SEC. 2. — That when any officer serving any process, on personal property, shall leave a copy of such process, as is by law provided, in the town clerk's office, he shall pay the town clerk ten cents for making the proper certificate, and preserving such copy in his office, and such sum shall be a legal item of fees for said officer; and it shall be the duty of said town clerk to enter on such copy the true time of the day when received.

Also on copy of attachments, &c.

No. 6.

An Act, in addition to an act, entitled "an act regulating town meetings and the choice and duty of town officers."

Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any town meeting shall be held in any town in this state, by virtue of the act to which this act is an addition, that the choice of listers and grand jurors for such town shall be by ballot whenever any legal voter at such meeting shall request the same.

Choice of listers and grand jurors to be by ballot when requested.

CHAPTER XXX.

OF HIGHWAYS AND BRIDGES.

No. 1.

An Act, in addition to an act, entitled "an act in addition to an act, entitled 'an act, reducing into one the several acts for laying out, making, repairing and clearing highways.'"

Slade's comp. laws, chap. 53.

Passed Nov. 16, 1825.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever any committee, appointed by the supreme or county courts, to lay out a highway, in pursuance of an act, to which this is an addition, shall report that such committee has surveyed and laid out said highway, the town or towns, or either of them, through which said high-

On return of survey of road committee, towns may contest the accept-

ance of report
before supreme
or county court.

way is laid out, may, either by their selectmen, or an agent appointed for that purpose, appear and defend against the acceptance of said report, and may and shall be permitted, on said hearing, to show in evidence any fact or facts whatever, which may go, not only to impeach the fairness of the committee, but to show that said road ought not to be established, any law, usage or custom to the contrary notwithstanding.

Committee to
deposit report
with clerk 15
days before ses-
sion of court, or
town entitled
to a continu-
ance.

SEC. 2. — That it shall be the duty of any committee, appointed as aforesaid, to deposit their report for the inspection of all persons interested therein, with the clerk of the court to which the same is returnable, at least fifteen days before the session of said court; and in case said report is not deposited, as aforesaid, the town or towns through which said road is laid, shall be entitled, as of right, to a continuance to the next session of said court.

Supreme court
may appoint
committee to
discontinue
road, laid by
committee of
said court or
legislature.

SEC. 3. — That the supreme court be, and hereby is, authorized and empowered, on application, by petition, of twelve freeholders of any town or towns, in this state, through which any road passes, to appoint a committee to consist of three judicious and disinterested freeholders, to discontinue, in whole or in part, any road established by such court, at any previous term thereof, or laid out by a committee appointed by the legislature.

County court
may appoint
committee to
discontinue
road.

SEC. 4. — That the several county courts be, and they are hereby authorized and empowered, on application of twelve freeholders as aforesaid, to appoint a committee to alter or discontinue, in whole or in part, any road established by such court, at any previous term thereof.

Road to be dis-
continued on
acceptance of
report.

SEC. 5. — That whenever any committee, appointed by either of the courts aforesaid, in pursuance of either of the foregoing sections of this act, shall, after having examined the premises, report that any such road, or any part thereof, be altered or discontinued, and the court appointing such committee shall accept such report, such road or part thereof shall be altered or discontinued.*

*See no. 4; al-
so no. 11 & 12.

No. 2.

Passed Nov. 17,
1825.

An Act, to repeal an act therein mentioned.

Act relating to
highways, pas-
sed Nov. 7,
1800, repealed.

It is hereby enacted by the General Assembly of the state of Vermont, That "an act, in addition to an act, entitled 'an act, reducing into one the several acts for laying out, making, repairing and clearing highways,' " passed November seventh, one thousand eight hundred, be, and the same is hereby repealed.†

*See Slade's
compiled laws,
chap. 53, no. 2.

Provided nevertheless, and it is hereby further enacted,

That this act shall not be so construed, as to affect any act ^{Saving clause.} done, or any right accrued, under the act hereby repealed.

No. 3.

An Act, in addition to an act, entitled "an act in addition to the several acts for laying out, making, repairing, and clearing highways," passed Nov. 12, 1824.

Passed Nov. 17,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That any road committee, heretofore appointed by the legislature, to lay out any highway on the line between towns, who shall have omitted to determine and assign to each town aforesaid, their respective part and portion of said road, by them surveyed and laid out, as aforesaid, are hereby directed and authorized to proceed in the performance of this duty as prescribed to highway committees, appointed by the supreme or county courts, in the act to which this is an addition.*

Committees appointed by legislature to lay out highways on town lines, authoriz'd to proceed, as committees appointed by courts.

*See Slade's compiled laws, chap. 53, no. 18.

No. 4.

An Act, in addition to the several acts for making and laying out highways.

Passed Nov. 4,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That the supreme and county courts of this state shall have power to reject or accept and establish, in whole or in part, the report of any committee by them hereafter appointed, for the purpose of laying out and surveying highways; and in all such cases shall have power to award costs for or against either party in such manner as shall, in their opinion be just and equitable, and issue execution thereon accordingly.†

Courts empowered to accept or reject in whole or in part the report of road committee.

†See no. 11.

No. 5.

An Act, in addition to the several acts for laying out, making, repairing and clearing highways.

Passed Nov. 7,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That the selectmen of the several towns in this state, in making up their annual highway tax, shall assess the sum of six cents on the dollar of the lists of such towns; and all acts and parts of acts, coming within the purview of this act, be, and the same are, hereby, repealed.‡

Highway tax of 6 cents to be assessed.

‡Virtually repealed by act of 1831; see no. 10.

No. 6.

Passed Nov. 9,
1826.

An Act, repealing part of an act entitled "an act reducing into one the several acts for laying out, making, repairing and clearing highways."

Part of act of
1797 repealed.

*See Slade's
compiled laws,
chap. 53, no. 1,
section 4.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the fourth section of the act aforesaid, as prevents the allowing of damage done by the laying of roads through lands unimproved or unenclosed, be, and the same, hereby, is repealed.*

No. 7.

Passed Nov. 9,
1826.

An Act, to repeal a part of an act therein mentioned.

Repeal of part
of act imposing
penalty for neg-
lect to open
roads.

†See Slade's
compiled laws,
chap. 53, No. 9,
section 3; see
also no. 11,
present chap.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the third section of an act entitled "an act, in addition to an act entitled 'an act reducing into one the several acts, for laying out, making, repairing and clearing highways,'" passed the eleventh day of November, in the year of our Lord one thousand eight hundred and eighteen, as subjects the inhabitants of any town, which shall neglect or refuse to open any road, laid out by a committee, appointed by any county court or the legislature, within one year from the time it is established, to a forfeiture of not exceeding thirty dollars, for each month of such delay, one moiety of which belongs to the prosecutor, the other moiety to the treasury of the county where such town is situated, be, and the same is, hereby repealed.†

Provided.

Provided, That this act shall not be construed to affect any action or suit, now pending, to recover said forfeiture.

No. 8.

Passed Oct. 26,
1829.

An Act, relating to bridges, in the several towns in this state.

Regulation for
travelling over
bridges.

SEC. 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the selectmen of any town, in this state, where there is any public bridge, with string-pieces thirty feet in length, between the supports on which they lie, or any bridge supported by one or more arches, may from time to time, whenever they shall think proper, set up at each end of

such bridge, a plain and legible direction, forbidding all persons driving any horse or other beast, on such bridge, faster than on a walk, or to drive more than one loaded team on any one tier of string-pieces, or on any one arch, at the same time, or to drive more than twenty head of cattle, horses or mules, on any one tier of string-pieces, or on any one arch, at the same time: and any person, who shall violate such direction, while the same shall be posted up, as aforesaid, shall forfeit to the town or either of the towns, in which such bridge is situated, for every such offence, the sum of one dollar, and also all damages, that may have been done to such bridge, by the violation of such direction, with full costs, to be recovered by an action on the case.

Penalty for violating directions.

SEC. 2. — That if any person or persons shall, wilfully, deface, remove, or destroy any direction, so posted up as aforesaid, he, she, or they shall forfeit and pay, for each offence, ten dollars, to be recovered by said town, in an action of debt, with full costs.

Penalty for defacing directions.

SEC. 3. — That all actions, for the recovery of any penalty incurred under this act, shall be commenced within thirty days after the right of action shall accrue, and not after.*

Limitation of prosecution.

*See no. 9.

No. 9.

An Act, in addition to an act, entitled "an act relating to the bridges in the several towns in this state."

Passed Nov. 10, 1830.

It is hereby enacted by the General Assembly of the state of Vermont, That the director or directors of any corporation, owning any bridge, in this state, of the dimensions described in the act to which this is in addition, may set up, at each end of such bridge, the direction described in said act, and any person or persons, who shall violate said direction, shall be liable to the same damages and forfeitures as are provided in said act, to be recovered in an action on the case, in the name and for the benefit of said corporation.

Corporation owning bridge may post up directions as in act of Oct. 26, 1829.

Penalty for violating directions.

No. 10.

An Act, to repeal the several acts therein mentioned.

Passed Nov. 9, 1831.

It is hereby enacted by the General Assembly of the state of Vermont, That the act, entitled "an act in addition to the several acts for laying out, making and repairing highways,"

Act of 1827.

Act of 1828.

Act of 1830.

Repealed.

Not to be construed to affect former proceedings, &c.

*See list at end of this volume, for acts herein repealed; see also no. 14.

Selectmen to assess tax of six cents for highways.

Assessments on property of non-residents to be applied in districts where it lies.

Notice to occupants the same, as if given to owner.

This act not to take effect till Dec. next.

passed thirteenth of November, one thousand eight hundred and twenty-seven, and the "act in addition to the several acts, for laying out, making and repairing highways," passed October thirtieth, one thousand eight hundred and twenty-eight," and the act, entitled "an act, relating to roads and bridges," passed November tenth, one thousand eight hundred and thirty, be, and the same are hereby repealed. *Provided nevertheless*, That this act shall not be construed to affect any proceedings or liabilities already commenced or incurred, under any of the aforesaid acts.*

Provided also, and it is hereby further enacted, That the selectmen, in making up their annual highway taxes, shall assess the sum of six cents on the dollar of the lists of such town, to be laid out upon the highways within their respective towns, and the assessments on the property of non-residents shall be applied in the respective districts, where such property lies, and notice to the occupant of such property to work, or pay highway taxes, assessed thereon, shall be as effectual in law, as if given to the owner in person; *Provided*, That this act shall not take effect, and be in force until the first day of December next.

No. 11.

An Act, concerning highways.

Passed November 1, 1832.

Supreme and county court may make order for the making of highways, &c.

Towns neglecting to comply with such order, subject to indictment.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever the supreme or any county court, shall establish any public highway, on the acceptance of the report of any committee, by such court appointed, such court may make order for the making the different sections of such highway, at such different periods as circumstances may render proper, but not less than one year from the making of such order; and the several towns, whose duty it may be to make such highway, or any part of the same, and who shall neglect to make and open the same, agreeably to such order of court, shall be subject to indictment for every such neglect, and to a fine, to be expended in making such highway.

No. 12.

An Act, relating to highways.

Passed Nov. 8, 1832.

It is hereby enacted by the General Assembly of the state of Vermont, That committees, hereafter appointed by the su-

preme or county courts, shall have the same power to discontinue any road laid out by the board of road commissioners, as is, by law, given to discontinue roads laid by any other board.

Committees empowered to discontinue road laid out by road commissioners.

No. 13.

An Act, relating to highways.

Passed Nov. 8,
1832.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the several clerks of county courts in this state be, and they are hereby constituted and appointed clerks of the board of road commissioners in the several counties in this state, with full powers to complete all records lawful and proper for a clerk of road commissioners, in the same county, to have made, if such clerk of road commissioners had been continued in office.

Clerks of county courts appointed clerks of board of road commissioners.

SEC. 2. — That all reports, made by any committee appointed by any county court in this state, to revise and re-examine the doings of the road commissioners, shall be made to the clerks of the county courts in the same county, and such clerks of county courts shall have all powers to issue extents and grant executions as such clerk of road commissioners would have, if he had been continued in office.

Empowered to issue executions, &c.

No. 14.

An Act, in addition to an act, entitled "an act to repeal the several acts therein mentioned," passed November 9, 1831.*

Passed Oct. 25,
1833.

*See no. 10.

It is hereby enacted by the General Assembly of the state of Vermont, That in all cases, where any judgment, order or decree for the payment of damages, or costs, or of any sum, or sums, for the purpose of making or repairing any roads, or building or repairing any bridge, has been made by the road commissioners, appointed under the "act in addition to the several acts for laying out, making and repairing highways," passed the thirteenth day of November in the year of our Lord one thousand eight hundred and twenty-seven, and the acts in addition thereto; or the act "relating to roads and bridges," passed November tenth, one thousand eight hundred and thirty,† and the said judgment, order or decree has not been satisfied, paid, or in any wise annulled, the person or persons, in whose favor said judgment, order or decree is made, may apply, by petition, to the county court, for the county in which

County court may issue execution to carry into effect orders or decrees of road commissioners.

†Repealed and omitted in this compilation.

said judgment, order, or decree was made, for an execution, for the amount of said judgment, order or decree, together with costs of suit ; and the said county court is hereby authorized to issue said execution.

Mode of serving petition.

Provided nevertheless, That the petitioner or petitioners, shall cause a copy of said petition, together with a citation, signed by the clerk of said county court, to be served upon the adverse party, at least twelve days before the session of the county court, to which said petition is returnable.

No. 15.

Passed Nov. 6, 1834. An Act, making further provision for opening highways, and repairing and building bridges.

Towns neglecting to build or repair bridges liable to indictment, and may be fined in sum sufficient to build or repair such bridges.

Fine how expended.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever any bridge, which shall hereafter be ordered by a committee appointed by the legislature of this state, or appointed by the supreme, or any county court within this state, to be built or repaired, and by such court established, shall not be built or repaired by the time ordered by said court, any town liable, by law, to build or repair said bridge, shall be liable to indictment for their neglect herein, by the grand jury empanelled at either of said courts, or on an information, filed by any state's attorney, and, on conviction, shall be fined in a sum equal to the whole expense of building or repairing said bridge, which fine, when collected, shall be expended in building or repairing said bridge, under the direction of a committee appointed by the court imposing said fine, in the same way as is now, by law, regulated in case of indictment against towns for not repairing highways.

No. 16.

Passed Nov. 5, 1834. An Act, in addition to an act, entitled " an act reducing into one the several acts for laying out, making, repairing and clearing highways."

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever twenty or more freeholders of any town or towns in this state, in the vicinity of any place where a bridge, across any creek, river or stream dividing any two towns in this state, is wanted to be built or repaired, shall have on or before the first day of May in any year, applied to the selectmen of said towns, in writing, to

build or repair said bridge, and the selectmen of said towns shall have neglected or refused, for the space of six months then next succeeding the first day of May, to build or repair such bridge, any twenty or more freeholders of the vicinity aforesaid may apply to the county court, in the county in which such towns are situate, for a committee to be appointed to view the premises, and, in their discretion, to establish and order the building or repairing such bridge ; which petition shall, together with a citation to appear and show cause why the prayer of said petition should not be granted, be served on one or more of the selectmen of the towns to which such application had been made, as aforesaid, at least twenty days before the sitting of said court ; and the said court shall, in their discretion, appoint a committee in the same manner as is provided in an act passed November fifth, one thousand eight hundred and six, entitled " an act in addition to an act entitled ' an act reducing into one the several acts for laying out, making, repairing and clearing highways, ' " * which said committee shall be authorized and directed upon view of the premises, if in their opinion the public good so require, to order and direct the building or repairing of such bridge, at such place as they, or a majority of them, may think proper :—and may alter or lay out such highways as will be most convenient for crossing such bridge, and also order and direct the proportion of expense to be borne and sustained in building or repairing such bridge by each of said towns, having regard as well to the accommodation of each of said towns as to their ability to pay.

On neglect of selectmen to build or repair bridge between two towns, application may be made to county court for committee.

*See Slade's compiled laws, chap. 53, no. 5.

Duties of committee.

SEC. 2. — That the several county courts in this state, in the appointment of said committee, and in accepting and acting on their report, and in taxing costs, and the committee aforesaid in the discharge of their several duties, shall be governed by the general laws of this state, provided the same be not inconsistent with the provisions of this act.

County court and committee to be governed by general laws of this state.

CHAPTER XXXI.

OF IMPOUNDING SWINE.

AN Act, in addition to an act, entitled " an act to restrain swine from going at large," passed Nov. 2, 1799.

Slade's comp. laws, chap. 55.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That when any swine shall be impounded in any town, district or parish in this state, agreeably

Passed Nov. 10, 1827.

Duty of pound-keeper, when

swine are impounded.

Sale.

Disposition of avails.

Owner may receive swine by paying charges.

Marks of swine and charges to be entered in town clerk's office.

to the act to which this is an addition, it shall be the duty of the pound-keeper, forthwith, or within twenty-eight hours, to set up a notification, describing the natural and artificial marks of such swine, in some public place in such town, district or parish, and also stating the day, hour and place of sale of the same, if not redeemed; and if no owner shall appear and claim such swine, within twenty days after the setting up of such notification, as aforesaid, it shall be the duty of said pound-keeper to sell said swine, at public vendue, to the highest bidder; and after paying the necessary fees to the impounder, his own fees, including seventeen cents for advertising, and all necessary expenses for keeping said swine, said pound-keeper shall deliver and pay over the overplus of such sale to the town, district or parish clerk, to be there kept for the use of the owner; and if the owner shall not appear within one year and make demand of such overplus and satisfy the clerk for his fees, the same shall belong to the town, district or parish.

SEC. 2. — *Provided nevertheless, and it is hereby further enacted,* That if the owner or owners of such swine shall, within the said twenty days, come and demand the said swine, he, she, or they shall receive the same, on paying the necessary fees and charges accrued by this act; and the pound-keeper shall, immediately after such sale, as aforesaid, procure the natural and artificial marks (if any there be) of such swine, so sold, to be entered in the town, district or parish clerk's office, together with an account of all the fees, charges and expenses, which may have accrued and the sum or sums for which said swine were sold respectively.

CHAPTER XXXII.

OF INSPECTION OF PROVISION.

No. 1.

Slade's comp. Laws, chap. 57.

An Act, in addition to, and alteration of an act, entitled "an act regulating the inspection of beef and pork," passed October 21, A. D. 1823.

Passed Nov. 10, 1830.

It is hereby enacted by the General Assembly of the state of Vermont, That in lieu of the present sums, now allowed to the inspector general or his deputies, they shall respectively receive the sum of ten cents, and no more, for each barrel of beef or pork, so inspected and branded; and for each half barrel of beef or pork, the sum of six cents and no more, exclusive of cooperage. And the inspector general shall be entitled to

Fees for inspection.

receive, from any deputy, one cent and five mills, and no more, on each barrel,—and one cent, and no more, for each half barrel of beef or pork, such deputy may inspect and brand, in lieu of the sum or sums heretofore allowed; any thing in the act to which this is an addition to the contrary notwithstanding.

Compensation
paid by deputies
to inspector
general.

No. 2.

An Act, in addition to an act, entitled "an act for the inspection of beef, pork, flour, and kiln-dried meal." Passed Nov. 6, 1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person, or persons shall hereafter sell, or offer for sale, any flour in this state, by the barrel, before the same shall have been inspected agreeably to the provisions of the act to which this is an addition, whether manufactured in this state or elsewhere, or before the same shall have been inspected by some sworn inspector of this, or some other state or territory, in which the said flour may have been manufactured, agreeably to the provisions of the laws of such state or territory, he, she, or they, shall forfeit the sum of five dollars for each barrel of flour so sold, or offered for sale, as aforesaid, to be recovered by any person who may, in his, or her own name, prosecute the same to effect, before any court proper to try the same, with full costs.

Penalty for selling flour which has not been inspected.

SEC. 2. — That the civil authority, and selectmen of the several towns in this state, are hereby authorized and directed, when necessary, to appoint some suitable person, or persons, inspectors, for the purposes mentioned in this act, who shall severally be sworn to the faithful discharge of their duty; and it shall be the duty of each inspector to brand and mark each barrel by him inspected, as is directed in the act to which this is in addition, and all inspectors shall be entitled to receive for their services three cents for every barrel of flour by them inspected, to be paid by the owner of the flour.

Inspectors how appointed.

Duties and fees of inspectors.

CHAPTER XXXIII.

OF WEIGHTS AND MEASURES

No. 1.

Slade's comp.
laws, chap. 59.

An Act, determining the standard measure of charcoal, lime and ashes.

Passed Oct. 27,
1828.

A bushel 38
quts. Winchester
measure.

Repeal of act of
1816.

*See Slade's
compiled laws,
chap. 59, no. 3.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That, from and after the passing of this act, thirty-eight quarts of Winchester measure shall be the measure of a bushel of charcoal, lime or ashes.

SEC. 2. — That the act entitled "an act regulating and directing the measurement of charcoal, lime and ashes," passed the sixth day of November, one thousand eight hundred and sixteen, be, and the same is hereby repealed.*

No. 2.

Passed Nov. 9,
1830.

An Act, in addition to "an act relating to weights and measures," passed March 8, 1797.

Selectmen to
procure 7 and
14 pound w'ts.

Weights of
brass or iron.

It is hereby enacted by the General Assembly of the state of Vermont, That in addition to the weights, which the selectmen are required, by said act, to provide for their several towns, they shall procure one weight of fourteen pounds, and one of seven pounds; and that all the weights, provided for the several towns in this state, may be of brass or iron;—any thing in the act to which this is in addition, to the contrary notwithstanding.

No. 3.

Passed Nov. 9,
1831.

An Act, in addition to an act, relating to weights and measures.

All gross arti-
cles may be
reckoned one
hundred pounds
to the hundred.

Not to be in
force until Jan-
uary next.

Nor to affect
rights hereto-
fore accrued.

It is hereby enacted by the General Assembly of the state of Vermont, That, hereafter, it shall be lawful to reckon one hundred pounds to the hundred, in weighing all gross articles, of every description. *Provided,* This law shall not take effect until the first day of January next. *Provided also,* That this act shall not affect any right, or privilege, which has, or may accrue, from any law, or usage, previous to the said first day of January next.

CHAPTER XXXIV.

OF GRIST MILLS.

An Act, explanatory of an act, relating to mills and millers.

It is hereby enacted by the General Assembly of the state of Vermont, That an act entitled, "an act, relating to mills and millers," shall not be so construed as to make any owner, or occupier, of any mill liable to the penalty therein named, who shall neglect or refuse to grind any grain, brought to such mill, to be ground for the avowed, or apparent purpose, of manufacturing such grain into distilled spirits; nor liable to any suit or action for so refusing.

Slade's comp.
laws, chap. 61.

Passed Nov. 8,
1832.

Owner of mill
not liable to
penalty for re-
fusing to grind
in certain case.

CHAPTER XXXV.

OF PETITIONS FOR FERRIES, ROADS, &c.

An Act, directing petitions for ferries, turnpikes, roads, canals and rail-roads to be published.

Slade's comp.
laws, chap. 62,
102.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That no grant of any ferry, turnpike, rail-road, canal, or locks, within this state, shall, hereafter, be made, unless the substance of such petition, praying for the same, shall be published in all the newspapers, printed in the county or counties in which such road, canal, locks, ferry or turnpike, are to be established, three weeks successively before the session of the general assembly to which the same shall be preferred; and if no newspaper shall be printed in the county, in which the ferry, road, turnpike, or canal, is prayed for, then the same shall be published in the next adjoining county, in which newspapers may be printed.

Passed Oct. 29,
1829.

Notice of peti-
tions for fer-
ries, turnpikes,
&c. to be pub-
lished in certain
newspapers.

SEC. 2. — That no alteration or addition to the grants of any ferry, turnpike, canal, or locks, within this state, shall be made, or the amount of tolls therein established, or altered, unless the substance of the petition praying therefor, shall have been published as is directed in the preceding section of this act.

No alteration of
grant of ferry,
&c. to be made
without notice.

SEC. 3. — That an act, entitled, "an act, directing petitions for ferries, and turnpike roads, to be published," passed November fourth, one thousand eight hundred and fourteen, be, and the same is, hereby repealed.*

Repeal of act
of 1814.

*See Slade's
compiled laws,
chap. 62, no. 3.

to all penalties, which may have accrued on the first day of January next.

Provided also, That this act shall not take effect until the first day of January next.

No. 2.

Passed Nov. 10,
1830.

An Act, relating to duties on licenses to retailers and inn-keepers.

Act of Oct. 29,
1829, deemed to
be in addition
to act of Nov.
1, 1802.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That an act, entitled "an act in addition to an act, entitled 'an act laying duties on licenses for selling wines and foreign distilled spirituous liquors, by retail, passed November eleventh, eighteen hundred and twenty-two, and to repeal part of an act therein mentioned,'" passed on the twenty-ninth day of October, eighteen hundred and twenty-nine, shall be taken and deemed to be an act in addition to an act, entitled, "an act laying duties on licenses for selling wines and foreign distilled spirituous liquors, by retail,"* passed November eleventh, eighteen hundred and two, and shall have the same force and effect, as if originally made in addition to the act last mentioned.

*See Slade's
comp. laws, ch.
64, no. 1.

Each distinct
offence indicta-
ble.

SEC. 2. — That if any person shall offend against the provisions of an act, entitled, "an act directing the mode of obtaining licenses, and regulating inns and houses of public entertainment," or of either of the acts in addition thereto, or against the provisions of the act last named, in the preceding section of this act, or of either of the acts in addition thereto; such person shall be liable to the penalty therein named, for each distinct offence.

CHAPTER XXXVIII.

OF LICENSES TO HAWKERS AND PEDLARS.

No. 1.

An Act, relating to pedlars.

Slade's comp.
laws, chap. 66.
Passed Nov. 7,
1832.

No license to be
granted for
shorter period
than one year.

†See No. 2.

It is hereby enacted by the General Assembly of the state of Vermont, That hereafter, no license to any person to be a hawker and pedlar, within this state, shall be granted for a shorter period of time than one year.†

No. 2.

An Act, in addition to, and amendment of an act, entitled "an act laying duties on licenses to hawkers and pedlars." Passed Nov. 7, 1833.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from and after the passing of this act, the provisions of the act to which this is in addition, shall be construed to extend, and the same are hereby extended to, any person who shall become a hawker and pedlar of American manufactured jewelry of any kind; of American cotton, linen, silk or woollen goods; or of domestic manufactured essences: *Provided*, the sums required for licenses to hawkers and pedlars of American cotton, linen, silk or woollen goods, or of domestic manufactured essences, shall be as follows, to wit:— for every person travelling on foot, the sum of ten dollars; for every person so travelling with a single horse, or other beast, bearing burden, the sum of fifteen dollars; and for every person so travelling with a wagon, sleigh, or other vehicle, drawn by one beast, or more, the sum of twenty dollars.

Provisions of former act extended to American cotton, woollen goods, &c.

Sums to be paid for licenses.

SEC. 2. — That if any person shall forge, or counterfeit any such license, or travel with any forged or counterfeit license, for the purpose in said act mentioned, said person shall be deemed guilty of forgery, and, being convicted thereof, shall be punished accordingly.

If any person shall forge license, or travel with forged license, to be deemed guilty of forgery.

SEC. 3. — That all fines and forfeitures imposed by this act, or by the act to which this is an addition, shall be paid into the county treasury, in which said offence shall be committed; and instead of the mode provided by the fourth section of the said act, to which this is an addition, for the recovery of said fines and forfeitures, the same shall be recovered by information or indictment, before the county court, in the same county, where said offence shall be committed. And it shall be the duty of the state's attorneys in the several counties in this state, to inform against, and prosecute all persons who shall be guilty of any breach of this act, or of the act to which this is an addition. And it shall, also, be the duty of the grand jurors of the several towns in this state, to make presentment of all offences against this act, or the act to which this is an addition, to some justice of the peace, within the same county, that the offenders may be bound over for their appearance before the county court for trial.

Fines, &c. to be paid into county treasury.

To be recovered by indictment or information.

Duty of state's attorneys.

Duty of town grand juries.

Provided, That this act shall not take effect until the first day of January next.

Proviso.

CHAPTER XXXIX.

OF THE PRESERVATION OF FISH.

No. 1.

Slade's comp.
laws, chap. 71.

An Act, in addition to an act, entitled "an act to preserve the fish in Otter Creek," passed Oct. 31, 1823.

Passed Oct. 22,
1825.

Penalties incurred under former act to be recovered by any person suing for the same.

One half of penalty given to prosecutor.

*See no. 14.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passing of this act, any sum, which may be forfeited by virtue of the act to which this is in addition, may be sued for and recovered in the name of any person, who shall prosecute for the same, by an action of debt, before any justice of the peace of the county where the offence shall be committed, who may lawfully judge between the parties; the one half of the penalty recovered shall be for the use of the prosecutor, and the other half to the treasurer of the town where the offence shall be committed.*

No. 2.

Passed Oct. 27, 1825. An Act, to preserve the fish in the several waters within the town of Plymouth, in the county of Windsor.

Taking fish in Plymouth, except with hook and line, prohibited.

Penalty.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons, from and after the passing of this act, shall take, catch, kill or destroy any fish in any of the waters, within the town of Plymouth, in the county of Windsor, in any other way than the ordinary way of fishing with a hook and line, he, she, or they, shall severally forfeit and pay a sum not exceeding ten dollars, nor less than two dollars; to be recovered before any justice of the peace within and for the county of Windsor, who may legally judge between the parties; one half of said penalty shall go to the person who shall prosecute the same to final judgment, and the other half to the treasurer of the town of Plymouth.

No. 3.

An Act, to preserve fish in Barnard pond.

Passed Nov. 8,
1825.

SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, That if any person, after the passing of

this act, shall take, kill, or destroy any pickerel in Barnard pond, in Barnard, in the county of Windsor, until after the first day of April, in the year of our Lord, one thousand eight hundred and twenty-nine; and if any person shall, at any time, catch, kill, or destroy any pickerel in said pond, in any other manner than with a hook and line, the person, so offending, shall forfeit and pay a fine, not exceeding ten dollars, nor less than two dollars, with full costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of said town, before any justice of the peace, having jurisdiction of the same.

Taking pickerel in Barnard pond prohibited till April 1, 1829.

Fishing for pickerel at any time, except with hook and line, prohibit'd.

Penalty.

SEC. 2. — That any person may sue for and prosecute to final judgment, any breach of this act, in his or her own name, and in the name of the town of Barnard, and upon recovery thereof, the one half of the penalty shall belong to the prosecutor, and the other half to said town.

Penalty given to prosecutor and town.

Provided, That no prosecution shall be had, unless the same be commenced within three months next after the offence shall be committed.

Limitation of prosecution.

No. 4.

An Act, to preserve fish in the waters of Johnston's pond and Burrough's pond in the town of Newbury.

Passed Nov. 15, 1826.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person, from and after the passing of this act shall take, catch, kill or destroy any fish in the waters of James Johnston's mill pond, or in the waters of William Burrough's mill pond, so called, in the town of Newbury, between the twentieth day of September and the twentieth day of November, inclusively, such person, so offending, on conviction thereof, shall forfeit and pay a fine not exceeding ten dollars, nor less than two dollars, to the treasurer of the town of Newbury aforesaid, with full costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of the town of Newbury, before any justice of the peace having jurisdiction of the same.

Taking fish in Johnston's and Burrough's ponds in Newbury, regulated.

Penalty.

Prosecution.

Provided, That all prosecutions, under this act shall be commenced within sixty days after the offence shall be committed and not after.

Proviso.

No. 5.

An Act, to preserve the fish in the waters of Calais, in the county of Washington, and Woodbury, in the county of Caledonia.

Passed Nov. 9, 1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That if any person or persons shall take

Regulation for
taking fish in
Calais and
Woodbury.

and kill or destroy any pickerel, pike, bass or perch in the waters in the town of Calais in the county of Washington, or in the waters in the town of Woodbury, in the county of Caledonia, in any way or manner whatever, for the term of three years, from and after the passing of this act, such person or persons shall forfeit and pay to either of the towns aforesaid where the offence shall be committed the sum of five dollars, to be recovered by action of debt, with full costs of prosecution.

Penalty.

Fishing except
with hook and
line prohibited,
after 1829.

SEC. 2. — That if any person shall take, kill or destroy any of the aforesaid kinds of fish, in any other way than the common way of fishing by hook and line, in the waters aforesaid, after the first day of November, in the year of our Lord, one thousand eight hundred twenty-nine, every such person shall forfeit and pay the sum of five dollars, to be recovered as is provided in the first section of this act.

Penalty.

Proviso.

Provided always, That no prosecution shall be sustained by virtue of this act, unless the same shall be commenced within six months after the offence shall have been committed.

No. 6.

Passed Nov. 15,
1826.

An Act, to preserve fish in Baker and Dean's pond.

Fishing regula-
lated in Baker
and Dean's
pond in Man-
chester.

SEC. 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That if any person after the passing of this act, shall take, kill or destroy any pike or pickerel in Baker and Dean's pond or in the stream, for fifty rods above the dam to said pond, in Manchester, in the county of Bennington, until after the first day of April, in the year of our Lord, one thousand eight hundred and thirty-one, and if any person shall, at any time thereafter, catch, kill or destroy any pike or pickerel in said pond, in any other manner than with a hook and line, the person so offending shall forfeit and pay a fine not exceeding ten dollars, nor less than two dollars, with full costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of said town, before any justice of the peace having jurisdiction of the same.

Penalty.

Prosecution.

SEC. 2. — That any person may sue for, and prosecute, to final judgment, any breach of this act, in his or her own name and in the name of the treasurer of said town of Manchester, and upon recovery thereof the one half of the penalty shall belong to the prosecutor and the other half to said town.

Proviso.

Provided, That no prosecution shall be had unless the same be commenced within three months next after the offence shall be committed.

No. 7.

An Act, to preserve the fish in the town of Randolph in the county of Orange.

Passed Oct. 30,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons, from and after the passing of this act, shall take, catch, kill or destroy any fish, in any of the waters, within the town of Randolph, in the county of Orange, in any other way than the ordinary way of fishing with a hook and line, he, she or they shall, severally, forfeit and pay a sum not exceeding ten dollars, nor less than two dollars, to be recovered before any justice of the peace within and for the county of Orange, who may legally judge between the parties; one half of said penalty shall go to the person who shall prosecute the same to final judgment, and the other half to the treasurer of the town of Randolph.

Regulation for
taking fish.

Penalty.

Prosecution.

No. 8.

An Act, to preserve the fish in the several waters within the towns of Northfield and Roxbury, in the county of Washington.

Passed Nov. 9,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That if any persons, from and after the passing of this act, shall take, catch, kill or destroy any fish, in any of the waters within the towns of Northfield or Roxbury in the county of Washington, in any other way than the ordinary way of fishing with a hook and line, he, she, or they shall, severally, forfeit and pay a sum, not exceeding ten dollars, nor less than two dollars, with full costs of prosecution, to be recovered before any justice of the peace, within and for the county of Washington, who may legally judge between the parties; one half of said penalty shall go to the persons, who shall prosecute the same to final judgment, and the other half to the treasurers of the towns where the offence shall have been committed.

Regulation for
taking fish in
Northfield and
Roxbury.

Penalty.

No. 9.

An Act, repealing an act therein mentioned.

Passed Nov. 1,
1826.

It is hereby enacted by the General Assembly of the state of Vermont, That the act entitled "an act to preserve the fish in Shrewsbury pond," passed on the thirtieth day of October, in the year of our Lord one thousand eight hundred and twenty-four, be, and the same is, hereby repealed.*

Act to preserve
fish in Shrews-
bury pond re-
pealed.

*See Slade's
compiled laws,
chap. 71, no. 15.

No. 10.

Passed Nov. 10,
1826.

An Act, to repeal an act therein mentioned.

Repeal.

*See Slade's
compiled laws,
chap. 71, nos. 3
and 4; see also
no. 12, this vol-
ume and chap-
ter, reviving the
same.

Saving clause.

It is hereby enacted by the General Assembly of the state of Vermont, That the act entitled "an act to preserve pickerel in Fairlee pond, in the county of Orange," passed the twenty-sixth day of October, in the year of our Lord one thousand eight hundred and twenty-four, be, and the same is, hereby repealed.*

Provided nevertheless, and it is hereby further enacted, That this act shall not be so construed as to affect any right already accrued, or any suit now pending, under the act hereby repealed.

No. 11.

Passed Nov. 15,
1826.

An Act, to preserve pickerel in Ticklenaked pond in Ryegate.

Regulation for
fishing in Tick-
lenaked pond.

Penalty.

Prosecution.

Proviso.

SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, That if any person, after the passing of this act, shall take, catch, kill or destroy, in Ticklenaked pond, in the town of Ryegate, in the county of Caledonia, between the first day of February and the first day of May, in any year, or shall, at any time or season of the year, take, catch, kill or destroy any pickerel in said pond, in any way or manner, except with a fish hook and line, he, she or they shall forfeit and pay a fine not exceeding ten dollars, nor less than two dollars, to the treasurer of said Ryegate, with full costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of said town, before any justice of the peace, having jurisdiction of the same.

SEC. 2. — That any person may sue for and prosecute, to final judgment and recovery, any breach of this act in his or her own name and in the name of the town of Ryegate; and upon recovery thereof, the one half of the penalty shall belong to the prosecutor, and the other half to said town of Ryegate.

Provided, That no prosecution shall be had unless the same shall be commenced within three months next after the offence shall be committed.

No. 12.

Passed Nov. 13,
1827.

An Act, to preserve fish in Fairlee lake and Fairlee pond.

SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons, after the

passing of this act, shall in any way or manner in any year, between the first day of December and the first day May next following, take, catch, kill or destroy any pike, pickerel or trout in the waters of Fairlee lake, situate within the charter limits of the towns of Fairlee, West Fairlee and Thetford, in the county of Orange, or Fairlee pond, situate in the town of Fairlee, or if any person or persons shall, after the passing of this act, at any time, in any year, take, catch, kill or destroy any pike, pickerel or trout in the waters of Fairlee lake or Fairlee pond aforesaid, with any net, spear, or in any other way or manner, except in the ordinary mode of fishing with a hook and line; the person or persons so offending shall, severally, forfeit and pay a fine not exceeding seven dollars, nor less than two dollars, for each and every offence so committed, with full costs of prosecution; to be recovered in an action of debt, in the name of the treasurer of the town where said offence shall have been committed, before any court having jurisdiction of the same.

Regulation in
fishing in Fair-
lee lake and
pond.

Penalty.

SEC. 2. — That any person may sue for and prosecute to final judgment, any breach of this act, in his or her own name, and in the name of the treasurer of the town wherein the offence shall have been committed; and upon recovery thereof, the one half of the penalty shall belong to the prosecutor, and the other half to said town.

Prosecution.

Provided, That no prosecution shall be had or maintained, unless the same shall be commenced within three months next after the offence shall have been committed.

Proviso.

SEC. 3. — That this act shall commence and continue in force ten years from the first day of December next, and no longer.

Limitation.

No. 13.

An Act, repealing an act, entitled "an act to preserve the fish in the streams running in and through the town of Bennington, in the county of Bennington."

Passed Oct. 26,
1829.

It is hereby enacted by the General Assembly of the state of Vermont, That an act entitled "an act to preserve the fish in the streams running in and through the town of Bennington in the county of Bennington," passed November eleventh, one thousand eight hundred and nineteen, be, and the same is, hereby, repealed.

Repeal of act
of 1819.

Provided, That this repeal shall not affect any action or right of action heretofore had or accrued, by virtue of said act.*

Saving clause.
*See Slade's
compiled laws,
chap. 71, no. 2.

No. 14.

Passed Nov. 3,
1831.

An Act, repealing part of an act therein mentioned.

Act of 1823 re-
pealed.

*See no. 1; al-
so Slade's
compiled laws,
chap. 71, no. 13.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of "an act entitled an act to preserve the fish in Otter Creek," passed October thirty-first, one thousand eight hundred and twenty-three, as relates to the county of Addison, be, and the same is, hereby repealed.*

No. 15.

Passed Nov. 4,
1834.

An Act, to repeal an act therein mentioned.

Act of 1823 re-
pealed.

†See Slade's
compiled laws,
chap. 71, No.
12.

It is hereby enacted by the General Assembly of the state of Vermont, That the act to preserve the fish in Green river, in Sandgate, passed October twenty-fourth, one thousand eight hundred and twenty-three, be, and the same is, hereby repealed.†

No. 16.

Passed Oct. 22,
1834.

An Act, to repeal an act therein mentioned.

Act of 1823 re-
pealed.

†See Slade's
compiled laws,
chap. 71, no. 11.

It is hereby enacted by the General Assembly of the state of Vermont, That an act, passed October twenty-third, one thousand eight hundred and twenty-three, to preserve the fish in the waters of Morristown, is hereby repealed.†

No. 17.

Passed Nov. 6,
1834.

An Act, for the preservation of fish in Warner's pond in Londonderry.

Penalty for de-
stroying fish in
Warner's pond
in Londonderry.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person or persons, shall kill, take or destroy any pickerel in Warner's pond, so called, in Londonderry, in the county of Windham, in any way or manner whatever, between the first day of October and the first day of May, in any year, for the term of three years, and shall be convicted thereof, he, or they, shall forfeit and pay a sum not exceeding five dollars, nor less than two dollars, for each and every offence, to the treasurer of said town of Londonderry,

with costs of prosecution, to be recovered in the name of said town, before any justice of the peace of the same county, in an action of debt. How recover'd.

SEC. 2. — That any person, or persons, may sue for and prosecute, to final judgment, in his, her, or their own name, and in the name of said town, and upon recovery thereof, one half of the penalty shall belong to such prosecutor, and the other half to said town. *Provided*, no prosecution shall be had, unless the same shall be commenced within three months next after the offence shall be committed. Mode of prosecution.
Proviso.

No. 18.

An Act, to preserve the pickerel in lake Memphremagog.

Passed Nov. 6,
1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That if any person or persons, shall take, kill, or destroy, any fish, called pickerel, in that part of lake Memphremagog which lies within the county of Orleans, in any other way than the ordinary one of fishing with a single hook and line, he, she, or they, shall forfeit and pay a sum not exceeding ten dollars, nor less than five dollars for each and every such offence, to the treasurer of the county of Orleans, for the benefit of said county, to be recovered by action of debt, before any justice of the peace in said county, competent to try the same. Penalty for destroying pickerel in lake Memphremagog.
How recover'd.

SEC. 2. — That any person may sue for, and prosecute to final judgment, any breach of this act in his own name, and the name of the treasurer of said county, and upon the recovery thereof, one half of the penalty shall belong to such prosecutor, and the other half to said treasurer; *Provided*, no action shall be sustained for the recovery of said penalty or forfeiture, unless the same shall be commenced within three months next after the offence shall be committed. How prosecuted.
Proviso.

SEC. 3. — That this act shall be and remain in force for the space of three years from the first day of March next, and no longer. Limitation.

No. 19.

An Act, to preserve fish in Berlin pond.

Passed Nov. 6,
1834.

It is hereby enacted by the General Assembly of the state of Vermont, That if any person, from and after the passing of this act, shall take, kill or destroy, by seine, gill-net, scoop-net, Penalty for de-

stroying fish in
Berlin pond.

How recover'd.

How appropri-
ated.

drag-net, snare, spearing, or in any other manner except by the ordinary way of fishing by hook and line, any pickerel, trout, or other kind of fish, in Berlin pond, or in the streams that run into, or out of, said pond, in Berlin in Washington county, he, she, or they, shall severally forfeit and pay a sum not exceeding thirty dollars, nor less than ten dollars, to be recovered in an action of debt before any justice of the peace proper to try the same: one half of the penalty, thus recovered, to go to the treasurer of the town of Berlin, and the other half to the person who shall prosecute the same to final judgment.

CHAPTER XL.

OF PROMOTING THE BREED OF SHEEP.

Slade's comp.
laws, chap. 73.

Passed Nov. 1,
1831.

Rams shall be
restrained from
going at large,
within certain
times.

Penalty.

An Act, in addition to an act, entitled "an act to promote the breed of sheep, and preserve the different breeds distinct."

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That hereafter, all rams shall be restrained from going at large, within this state, from the first day of August, to the twentieth day of November in each year.

SEC. 2. — That the same forfeitures, liabilities and penalties shall be had and accrue, with respect to any ram, or rams, found going at large, or with the sheep of any other person, except the owner, or keeper of said ram or rams, between the times aforesaid; and the same proceedings shall be had as are provided in the act to which this is in addition.

CHAPTER XLI.

OF THE STATE-HOUSE.

No. 1.

Slade's comp.
laws, chap. 75.

Passed Nov. 8,
1832.

\$15,000 appro-
priated for

An Act, authorizing the building of a state-house at Montpelier.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the sum of fifteen thousand dollars be, and the same is, hereby, appropriated for the purpose of erecting a new state-house at Montpelier; and the treasurer

of the state is hereby directed to pay said sum to the committee to be appointed, as herein after provided, to superintend the building of said state-house, out of any moneys in the treasury not otherwise appropriated. *Provided*, the inhabitants of Montpelier, or any individuals, shall, before the first day of January, in the year of our Lord one thousand eight hundred and thirty-three, give good and sufficient security to the treasurer of this state, to pay into the treasury of the state, the sum of fifteen thousand dollars; one half of said sum to be paid in one year, and the remainder in two years from the passage of this act; which said last mentioned sum shall, also, be paid to said committee, and expended for the purpose aforesaid.

erecting state-house.

Provided that inhabitants of Montpelier give bond to pay into treasury \$15,000.

SEC. 2. — That it shall be the duty of the governor of this state, to appoint three suitable persons, as a committee, to fix upon a place, in Montpelier, for the erection of said state-house, and to prepare a plan for the same. And it shall be the duty of said committee to deliver one copy of their proceedings, together with a plan of said state-house, to the secretary of state, and one to the superintending committee, on or before the first day of March, in the year of our Lord one thousand eight hundred and thirty-three.

Governor to appoint committee to prepare plan, &c.

SEC. 3. — That it shall be the duty of the governor of this state, also, to appoint some suitable person or persons, as a committee to superintend the erection of said state-house, agreeably to the plan adopted by the committee aforesaid.

Also committee to superintend.

SEC. 4. — That the superintending committee shall, before they enter upon the discharge of their duties, give good and sufficient bonds to the treasurer of the state, in the sum of fifty thousand dollars, for the faithful discharge of their duties.*

Superintending committee to give bonds, &c.

*See no. 2 & 3.

No. 2.

An Act, in addition to an act, entitled "an act authorizing the building of a state-house at Montpelier."

Passed Nov. 7, 1833.

It is hereby enacted by the General Assembly of the state of Vermont, That in addition to the sum, heretofore appropriated, for the building of a state-house, at Montpelier, there be, and hereby is, appropriated the sum of twenty thousand dollars; and the treasurer of this state is, hereby, directed to pay said sum to the committee appointed to superintend the building of said state-house, in pursuance of the act, to which this is an addition, out of any monies, in the treasury, not otherwise appropriated.

Twenty thousand dollars appropriated for state-house.

No. 3.

Passed Nov. 4, 1834. An Act, in addition to an act, entitled "an act authorizing the building of a state-house at Montpelier."

It is hereby enacted by the General Assembly of the state of Vermont, That in addition to the sums heretofore appropriated for the building of a state-house at Montpelier, there be, and hereby is, appropriated the sum of twenty-five thousand dollars—and the treasurer of this state is hereby directed to pay said sum to the committee appointed to superintend the building of said state-house, in pursuance of the act to which this is an addition, out of any monies in the treasury not otherwise appropriated.

\$25,000 appropriated for state house.

CHAPTER XLII.

OF ALTERATION IN COUNTIES.

No. 1.

Slade's comp. laws, chap. 76. An Act, annexing a part of the town of Mount Tabor, in the county of Rutland, to the town of Dorset, in the county of Bennington.

Passed Nov. 17, 1825. *It is hereby enacted by the General Assembly of the state of Vermont,* That all that part of Mount Tabor, in the county of Rutland, which was formerly a part of Peru, in the county of Bennington, and which was annexed to said Mount Tabor by an act of the general assembly, passed the twenty-fifth day of October, one thousand eight hundred and five, excepting about one hundred acres on the north end of said piece, owned and occupied by Caleb Buffum, be, and hereby is annexed to the said town of Dorset, and to the said county of Bennington, subject nevertheless to the same reservations as are contained in the act aforesaid: and the inhabitants living on said land shall be entitled to the same privileges as if the said land had been included within the original chartered limits of said town of Dorset.*

*See no. 3.

No. 2.

Passed Oct. 28, 1829. An Act, annexing the town of Warren, in the county of Addison, to the county of Washington, and for other purposes.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from and after the first day of De-

ember next, the town of Warren, in the county of Addison, Town of Warren annexed to Washington county.
 be, and it hereby is, for every purpose annexed to the county of Washington.

SEC. 2. — That the town of Warren shall, from and after the time aforesaid, be annexed to the probate district of Washington, and to the fifth congressional district. And to Washington probate and 5th congressional districts.

No. 3.

An Act, in addition to and in explanation of an act, entitled "an act annexing a part of the town of Mount Tabor, in the county of Rutland, to the town of Dorset, in the county of Bennington," passed Nov. 17, 1825. Passed Nov. 3, 1832.

It is hereby enacted by the General Assembly of the state of Vermont, That the words "*excepting about one hundred acres, on the north end of said piece of land, owned and occupied by Caleb Buffum,*" in the act aforesaid, shall be so taken and construed as to include all the lands owned by the said Caleb Buffum, at the time of the passage of the said act, included within the limits of that part of Mount Tabor annexed to the said town of Dorset, by the act aforesaid.* Act of 1825, how construed.

*See no. 1.

CHAPTER XLIII.

OF SESSIONS OF COURTS.

No. 1.

An Act, providing for the session of the supreme court in the county of Essex.

Slade's comp. laws, chap. 77.

It is hereby enacted by the General Assembly of the state of Vermont, That the supreme court of judicature and court of chancery shall, hereafter, be held at Guildhall, within and for the county of Essex, on the seventh Monday next after the fourth Monday of January, in each year; and that so much of any former law as provides for the holding of said court, for Essex county, at Danville, in the county of Caledonia, be, and the same is hereby repealed. Passed Nov. 17, 1825.

Time of session of sup. court in Essex county.

Repeal of former law.

No. 2.

Passed Nov. 13, 1827. An Act, in addition to the several acts, constituting the supreme and county courts, and regulating judicial proceedings.

Sessions of the
supreme courts.

Time altered in
Chittenden co.;
see no. 4.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the supreme court of judicature and court of chancery shall, hereafter, be holden in each year at Burlington, within and for the county of Chittenden, on the first Tuesday of January; at St. Albans, within and for the county of Franklin, on the second Tuesday of January; at North Hero, within and for the county of Grand Isle, on the third Tuesday of January; at Middlebury, within and for the county of Addison, on the fourth Tuesday of January; at Rutland, within and for the county of Rutland, on the first Tuesday next following the fourth Tuesday of January; at Bennington and Manchester, alternately, beginning at Bennington, within and for the county of Bennington, on the second Tuesday next after the fourth Tuesday of January; at Newfane, within and for the county of Windham, on the third Tuesday next after the fourth Tuesday of January; at Woodstock, within and for the county of Windsor, on the fourth Tuesday next after the fourth Tuesday of January; at Chelsea, within and for the county of Orange, on the fifth Tuesday next after the fourth Tuesday of January; at Montpelier, within and for the county of Washington, on the sixth Tuesday next after the fourth Tuesday of January; at Danville, within and for the county of Caledonia, on the seventh Tuesday next after the fourth Tuesday of January; at Guildhall, within and for the county of Essex, on the eighth Tuesday next after the fourth Tuesday of January; and at Irasburgh, within and for the county of Orleans, on the ninth Tuesday next after the fourth Tuesday of January.

Sessions of the
county courts.

Times altered
in Essex & Or-
leans county;
see no. 7.

Times altered
in Caledonia
co.; see no. 6.

Times altered
in Washington
co.; see no. 5.

Times altered
in Bennington,

SEC. 2. — That the several county courts in this state shall be holden, in each year, at the several times and places following, to wit. At Irasburgh, within and for the county of Orleans, on the second Tuesday of April and on the last Tuesday of August; at Danville, within and for the county of Caledonia, on the fourth Tuesday of April and the Wednesday next after the first Tuesday of September; at Guildhall, within and for the county of Essex, on the second Tuesday next after the fourth Tuesday of April and on the third Tuesday of September; at Montpelier, within and for the county of Washington, on the fourth Tuesday next after the fourth Tuesday of April and on the first Tuesday next after the third Tuesday of September; at Middlebury, within and for the county of Addison, on the second Tuesday of June and on the second Tuesday of December; at Bennington, within and for the county of Bennington, on the fourth Tuesday of April, and at Manchester, in said county, on the fourth Tuesday of September;

at Rutland, within and for the county of Rutland, on the second Tuesdays of April and September; at Newfane, within and for the county of Windham, on the third Tuesdays of April and September; at Woodstock, within and for the county of Windsor, on the first Tuesdays of June and December; at Burlington, within and for the county of Chittenden, on the last Tuesdays of March and August; at St. Albans, within and for the county of Franklin, on the second Tuesdays of April and September; at North Hero, within and for the county of Grand Isle, on the fourth Tuesdays of April and September; and at Chelsea, within and for the county of Orange, on the third Tuesdays of June and December.

Rutland and
Grand Isle co's.
See no. 3.

Times altered
in Windham &
Windsor coun-
ties; see no. 4.

SEC. 3. — That all complaints, informations, indictments, actions, suits, and every other matter or thing, in law or equity, that are now pending in the supreme court of judicature and in the several county courts, respectively, in the several counties in this state, and all appeals, writs, recognizances, and every other matter or thing, that now are, or may be made returnable to, or may be to be entered in the several courts, respectively, at the times and places heretofore by law appointed, and all persons and parties, that may be required to appear or attend at such times and places, shall be returned and entered, appear and have day in said several courts, at the next terms thereof in said several counties, respectively, as are appointed in this act.

Courts to take
cognizance of
all suits now
pending or re-
turnable.

No. 3.

An Act, altering the times for holding certain county courts.

Passed Oct. 29,
1829.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That, in future, the county courts, in the several counties, hereinafter named, instead of being holden at the times now required by law, shall be holden at the respective times herein established, to wit: At Burlington, in the county of Chittenden, on the last Tuesday, save one, in March, and the last Tuesday, save one, in August, in each year; at North Hero, in the county of Grand Isle, on the Tuesday next following the fourth Tuesday in April, and on the first Tuesday following the fourth Tuesday in September, in each year; at Bennington and Manchester, in the county of Bennington, alternately, beginning at Bennington, on the second Tuesday of April, and on the fourth Tuesday of September, in each year; at Rutland, in the county of Rutland, on the fourth Tuesday of April, and on the second Tuesday of September, in each year.

Time of holding
county courts;

In Chittenden
county,

Grand Isle,

Bennington,

Rutland.

SEC. 2. — That all complaints, informations, indictments, actions, suits and every other matter or thing, now pending in

Courts to take
cognizance of

suits pending
and returnable.

said county courts respectively, in said several counties, and all appeals, writs, recognizances and every other matter or thing, that now are, or may be returnable to, or may be to be entered in, the several county courts, at the times and places heretofore, by law, appointed, and all persons and parties, that may be required to appear or attend at such times and places, shall be returned and entered, appear and have day in the said several courts, at the next terms thereof, in said several counties, respectively, as they are appointed in this act.

No. 4.

Passed Nov. 9,
1831.

An Act, altering the terms of the courts in certain counties.

Time of holding
supreme court
in county of
Chittenden.

Time of holding
county court in
Windham co.

Time of holding
county court in
Windsor co.

Courts to take
cognizance of
all causes now
pending, &c.

It is hereby enacted by the General Assembly of the state of Vermont, That, in future, the supreme court of said state shall be holden at Burlington, within and for the county of Chittenden, on the Thursday next preceding the first Tuesday in January, in each year; and that the county court, for the county of Windham, shall be holden at Newfane, in said county, on the second Tuesdays of April and September, in each year; and that the county court, for the county of Windsor, shall be holden at Woodstock, in said county, on the last Tuesdays of May and November, in each year. And all complaints, informations, indictments, actions and suits, and every other matter or thing, in law or equity, now pending in, and all writs and warrants, appeals, recognizances, and every other matter and thing, returnable to, or hereafter made returnable to said courts, respectively, in said counties, named in this act, shall be entered, heard and determined, at the times and places, in this act named, for said courts, respectively, to hold their sessions, in said several counties. And all persons and parties, required, by law, to appear before either of said courts, in the counties last aforesaid, or either of them, shall appear, and have day in the same court, at the next term thereof, holden in the same county, according to the provisions of this act.

No. 5.

Passed Nov. 9,
1831.

An Act, altering the time of holding the county court in Washington county.

Times of hold-
ing co. courts.

SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, That the county court, shall, hereafter, be holden, in each year, at Montpelier, within and for the county of Washington, on the second Tuesday of April, and on the third Tuesday of November.

SEC. 2. — That all complaints, petitions, informations, indictments, actions, suits, and every other matter or thing, that are now pending, in said county court; and all appeals, writs, recognizances, and every other matter, or thing, that now are, or may be, made returnable to, or may be to be entered, in said county court, at the times and places heretofore, by law, appointed, and all persons and parties, that may be required to appear, or attend, at such times and places, shall be returned and entered, appear and have day, in said county court, at the next terms thereof, in said county, as are appointed in this act. *Provided*, That no court shall be holden under this act, until after the first day of January next.

Courts to take cognizance of all causes now pending, &c.

Proviso.

No. 6.

An Act, altering the times of holding certain county courts.

Passed Nov. 9,
1831.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That in future, the county courts, in the several counties, hereinafter named, instead of being holden at the times now required by law, shall be holden at the respective times hereinafter established, to wit: at Guildhall, in the county of Essex, on the last Tuesday in May, and on the last Tuesday save one, in November, in each year; at Danville, in the county of Caledonia, on the first Tuesday of June, and on the first Tuesday of December, in each year; at Irasburgh, in the county of Orleans, on the third Tuesday of June, and on the third Tuesday of December, in each year.*

Time of holding county courts in Essex co.; see no. 7.

In Caledonia county.

In Orleans co.

*Times altered in Orleans and Essex for fall terms, see no. 7.

SEC. 2. — That all complaints, informations, indictments, actions, suits, and every other matter, or thing, now pending in said county courts, respectively, in said several counties; and all appeals, writs, recognizances, and every other matter or thing, that now are, or may be made returnable to, or may be to be entered in the several county courts, at the times and places, heretofore, by law, appointed, and all persons and parties, that may be required to appear, or attend, at such times and places, shall be returned and entered, appear and have day, in the said several courts, at the next terms thereof, in said several counties, respectively, as they are appointed in this act. *Provided*, That no court shall be holden under this act, until after the first day of January next.

Courts to take cognizance of all causes now pending, &c.

Proviso.

No. 7.

Passed Nov. 7,
1833.

An Act, altering the terms of the courts in certain counties.

Times of hold-
ing co. courts in
Essex county.

Orleans county.

Courts to take
cognizance of
all causes now
pending, &c.

Former act re-
pealed.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That in future, the fall terms of the county court, within and for the county of Essex, shall be holden on the third Tuesday of December; and within and for the county of Orleans, on the fourth Tuesday of December, in each, and every year, any law or usage to the contrary, notwithstanding.

SEC. 2. — That all complaints, informations, indictments, actions and suits, and every other matter or thing, in law, or equity, now pending in; and all writs, warrants, appeals, recognizances, and every other matter or thing, returnable to said courts, respectively, in said counties, shall be entered, heard and determined, at the times in this act named for said courts, in said counties; and all persons and parties required by law to appear before either of said courts, in the counties aforesaid, shall appear and have day, in the same court, at the next term of said courts, to be holden in the same county, according to the provisions of this act.

SEC. 3. — That all acts, and parts of acts, coming within the purview of this act, shall be, and the same are, hereby repealed.

CHAPTER XLIV.

OF PROBATE DISTRICTS.

Slade's comp.
Laws, chap. 79.

An Act annexing the town of Newark, in the county of Caledonia, to Caledonia probate district.

Passed Nov. 9,
1826.

Newark annex-
ed to Caledonia
prob. district.

It is hereby enacted by the General Assembly of the state of Vermont, That, from and after the passing of this act, the town of Newark, in the county of Caledonia, for every probate purpose, be and is, hereby, annexed to Caledonia probate district.

CHAPTER XLV.

OF AUDITOR OF ACCOUNTS.

An Act, authorizing the auditor of accounts to administer oaths, in certain cases.

Slade's comp. laws, chap. 80.

It is hereby enacted by the General Assembly of the state of Vermont, That the auditor of accounts against this state shall have full power to administer an oath or affirmation to any person, presenting an account to be audited, relative to the truth and correctness of the account or accounts, by him exhibited to said auditor for allowance.

Passed Nov. 8, 1825.

Auditor empowered to administer oath to claimants.

CHAPTER XLVI.

OF NOTARIES PUBLIC.

No. 1.

An Act, in addition to an act, entitled "an act, appointing notaries public, and declaring their office and duty."

Slade's comp. laws, chap. 84.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the judges of county courts, in each and every county of this state, or a majority of them, where there now is or may, hereafter, be a bank, shall, annually, in the month of December, appoint some person, residing in the town where such bank is located, to the office of notary public, in addition to those, now by law appointed: to whose protestations, attestations and other instruments of publication, due faith and credence shall be given.*

Passed Oct. 27, 1829.

Notaries to be appointed in towns where banks are located.

SEC. 2. — That every such notary public shall, previous to his executing said office, give bond, by way of recognizance, before one of the judges of the county court, in the county where he shall reside, with sufficient sureties, to the treasurer of the state, in the sum of five hundred dollars, conditioned for the faithful discharge of his said office, which bond shall be returned to the treasurer aforesaid, and shall, also, be sworn to the due discharge of his duty; a record of which oath shall be made in the office of the secretary of state, and shall also provide, for himself, a notarial seal, which shall be affixed to his instruments of publication.

*See no. 2 & 3.

To give bonds.

Shall be sworn.

Oath recorded.

Provide a seal.

SEC. 3. — That if either of said offices should become vacant, by the resignation, death, removal, or other disqualification of the person appointed, it shall be the duty of the first

Provision for supplying vacancies.

judge of the county court, in the county where such vacancy occurs, to appoint some person to discharge the duties of said office, until the regular annual appointment is made, by the county court, which person, so appointed, shall, in all things, conform to the requisitions of this act.

Sec'y. of state
to furnish list of
officers to no-
taries.

SEC. 4. — That said notaries public shall be furnished, in the month of January, annually, by the secretary of state, under the seal of his office, with a list of the names of the judges of the county court, judges of probate, sheriff, high bailiff and justices of the peace of the county in which such notaries public shall respectively reside; and when any notary public shall be appointed, in the manner mentioned in the third section of this act, the secretary of state, on application from said notary, shall also furnish the said notary with a list of the county officers in his county, as aforesaid.

No. 2.

Passed Nov. 8,
1830.

An Act, in addition to, and alteration of an act, entitled "an act appointing notaries public, and declaring their office and duty."

Judges of county courts to appoint as many notaries public as there are banks in each county.

It is hereby enacted by the General Assembly of the state of Vermont, That whenever there are, or shall be more than one incorporated bank, located within any of the counties of this state, the judges of the county court, in such county, shall, annually, in the month of December, appoint as many persons residing in the town where such banks are located, to the office of notary public, as shall be equal to the number of banks located in such county; and in case either of said offices shall become vacant by the resignation, death, removal, or other disqualification of the person or persons so appointed; that such vacancy shall be filled in the same manner as is directed in the third section of the act, to which this in addition.

No. 3.

Passed Oct. 31,
1831.

An Act, in addition to the several acts, providing for the appointment of notaries public.

Judges of county courts empowered to appoint notaries

It is hereby enacted by the General Assembly of the state of Vermont, That whenever there is, or shall be, an incorporated bank, located within any county of this state, the judges of the county court, in such county, shall be empowered, annually, at their first stated session, after the second Thursday of

October, to appoint as many persons residing in the town where such bank is located, to the office of notary public, as they may deem the public good requires; any thing in the acts, to which this is in addition to the contrary notwithstanding.

public in towns
where banks
are located.

CHAPTER XLVII.

OF CONTESTED ELECTIONS.

An Act, in relation to contested elections.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That depositions taken in the manner hereafter prescribed shall be admitted to be read as evidence in all cases when the election of a member of the general assembly is contested.

Slade's comp.
laws, chap. 85.
Passed Nov. 6,
1834.

Depositions to
be admitted in
cases of contest-
ed elections.

SEC. 2. — That whenever any person shall intend to contest the election of the returned member of any town in this state, such person shall, within six days next after such election, make application, in writing, to a justice of the peace of the same county, not an inhabitant of the town in which such election was held, who by law might judge between the parties, for a citation to the person whose election is to be contested, of the following tenor, to wit:

Person intend-
ing to contest
election of re-
turned member
to apply to jus-
tice, who shall
issue citation to
adverse party.

STATE OF VERMONT, } *To the sheriff of*
COUNTY, ss. } *county, his deputy,*
or any constable of said county, } *GREETING.*

Form of cita-
tion.

Whereas, application has been made to me, one of the justices of the peace for said county, by A. B. of in said county, setting forth that the election of C. D. as representative to the next general assembly from the town of

in said county is illegal and void, and that he the said A. B. shall contest the same:—Therefore, by the authority of the state of Vermont, you are hereby commanded to summon the said C. D. to appear before me at the house of in the town of in said county, on the day of September, at o'clock forenoon, to be present at the taking of the deposition of E. F. and G. to be used before the general assembly on the trial of the validity of the election of the said C. D. as a member of the said general assembly.

Hereof fail not, but legal service and due return make.

Given under my hand, at this day of
September, A. D. Justice of Peace.

A copy of which citation shall be delivered to such person, or left at his usual place of abode, in the care of some suitable person resident therein, by the officer serving the same, at least

How served.

six days before the time set therein for the taking such depositions.

Returned member may also apply to justice, &c.

Justices may compel the attendance of witnesses.

SEC. 3. — That the returned member may also, if he choose, apply to a justice of the peace as aforesaid, other than the one who issued the citation against him, who may be present at the same time and place, and take depositions in his behalf, either of which justices shall have the same power to compel the attendance of witnesses before them that they would have in case a suit at law was pending before them between the parties, and every such witness who shall be duly summoned, and his fees tendered, shall attend and make deposition at the time and place therein directed, within the town in which such contested election was held.

SEC. 4. — That every witness shall be duly cautioned by such justice to tell the truth; the whole truth, and nothing but the truth, and the deposition written by the witness or the justice, signed by the witness and sworn to, the justice shall certify in the following manner, viz :

Form of certificate.

STATE OF VERMONT, } (Town) (Date)
COUNTY. }

Then E. F. of in the county of personally appearing, and after being carefully examined and duly cautioned, made solemn oath that the foregoing deposition by him subscribed, contains the truth, the whole truth, and nothing but the truth.

Before

Justice of Peace.

The above deposition taken at the request of to be used before the general assembly of the state of Vermont, on the trial of the validity of the election of C. D. returned a member of said general assembly, the said C. D. or A. B. (as the case may be) was duly notified and did (or did not) attend the taking thereof.

Justice of Peace.

Superscription. Which deposition shall be sealed up and superscribed in the following manner :—The within deposition of was taken and sealed up by me.

Justice of Peace.

Proviso.

Provided, That the taking of all depositions, contemplated by this act, shall be closed at least six days before the day appointed for the meeting of the legislature.

Fees of justice.

SEC. 5. — That the fees of the justice for taking one deposition for either party shall be fifty cents; for each additional deposition thirty-four cents, for citation thirty-four cents, for subpoena for one witness twenty cents, each additional witness six cents, for each continuance twenty-five cents; the fees for each witness shall be thirty-four cents for attendance, and six cents per mile for travel, and the officer's fees the same as now allowed by law for like service in other cases.

Of witness.

Of officer.

Former act, repealed.

*Omitted in this compilation.

SEC. 6. — That an act in relation to contested elections, passed November tenth, one thousand eight hundred and twenty-seven, be, and the same is, hereby repealed.*

CHAPTER XLVIII.

OF ELECTION OF REPRESENTATIVES TO CONGRESS AND CONGRESSIONAL DISTRICTS.

No. 1.

An Act, annexing the towns of Pawlet, Danby and Mount Tabor, in the county of Rutland, to the second congressional district, and to repeal a part of an act therein mentioned.

Slade's Comp. Laws, Chap. 87.

Passed Oct. 26, 1829.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the towns of Pawlet, Danby and Mount Tabor, in the county of Rutland, be, and the same are, hereby, annexed to the second congressional district.

Towns annexed to 2d congressional district.

SEC. 2. — That so much of the act, entitled "an act, dividing the state into districts for electing representatives to the congress of the United States, and directing the mode of their elections," passed November eleventh, one thousand eight hundred and twenty-two, as relates to the towns of Pawlet, Danby and Mount Tabor, be, and the same is, hereby repealed.*

Part of act of 1822 repealed.

*See Slade's compiled laws, chap. 87, sec. 1.

No. 2.

An Act, dividing the state into districts for electing representatives to the congress of the United States, and directing the mode of their election.

Passed Nov. 8, 1832.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the county of Bennington, together with the county of Windham, and the towns of Weston, Andover, Chester, Springfield, Ludlow, Cavendish and Baltimore, in the county of Windsor, be, and they hereby are, formed into one district, for the purpose of electing one representative, to represent this state in the congress of the United States; to be denominated the *first* congressional district: and that the county of Rutland and the county of Addison be, and they hereby are, in like manner, formed into one district, for the purpose aforesaid; to be denominated the *second* congressional district: and that the county of Windsor, except the towns of Weston, Andover, Chester, Springfield, Ludlow, Cavendish, and Baltimore, together with the county of Orange, be, and they hereby are, in like manner, formed into one district, for the purpose aforesaid; to be denominated the *third* congressional district: and that the county of Chittenden, together with the counties of Grand Isle and Franklin and the county of Orleans, except the towns of Greensborough, Glover, Barton, Westmore,

First district.

Second district.

Third district.

Fourth district. Brownington, Charleston, Salem, Morgan, Holland and Derby, be, and they hereby are, formed into one district for the purpose aforesaid; to be denominated the *fourth* congressional district: and that the county of Washington, together with the counties of Caledonia and Essex and the towns of Greensborough, Glover, Barton, Westmore, Brownington, Charleston, Salem, Morgan, Holland and Derby, in the county of Orleans, be, and they hereby are, formed into one district, for the purpose aforesaid; to be denominated the *fifth* congressional district.

Constables to warn freemen to meet. SEC. 2. — That the first constables, and in case of their neglect, the town clerks, and in case of the neglect of both, the selectmen, or either of them, of the respective towns of this state, shall, at least twelve days before the first Tuesday of September, which will be in the year of our Lord eighteen hundred and thirty-four, and twelve days before the first Tuesday of September, biennially, thereafter, forever, set up notifications at the usual places for warning town meetings, notifying the freemen to meet, on the said first Tuesday of September, at one o'clock in the afternoon, at the usual place of holding freemen's meetings in their respective towns, for the purpose of choosing a representative to represent this state in the congress of the United States; at the opening of which meeting, this act shall be publicly read.

Duties of presiding officers. SEC. 3. — That the first constable, and in his absence the town clerk, or a justice of the peace, shall then call on the freemen from time to time, for the space of four hours, to give in their ballots for a person to represent this state in the congress of the United States; which ballots shall be given in the manner following, that is to say: each person voting, shall deliver his ballot, folded together, to the presiding officer in presence of the meeting, which ballot shall be a paper ticket, containing the name of the person he would elect; and the presiding officer, on receiving such ballot, shall direct the town clerk, whose duty it is hereby declared to be, to write the name of the elector in a roll, to be by him provided for that purpose, and preserved on file in his office; and the presiding officer shall, without inspecting the name of the person voted for, examine the ballot so far as to determine whether the same shall contain more than one ticket; and if it does not, he shall put it into the balloting box; but if the said ballot shall contain more than one ticket, he shall make it known to the meeting, and reject the same; and no vote shall afterwards be received from such elector, at such meeting. And after the ballots shall have been received, in manner aforesaid, and at the expiration of the time aforesaid, the poll shall be closed, and the ballots shall be sorted and counted, by the presiding officer, with the assistance of the town clerk, magistrates, and selectmen, and a certificate of the number of votes for each candidate—of which a record shall be made in the town clerk's office—signed by

Mode of balloting.

Ballots to be sorted and counted, and certificate given.

the presiding officer, shall be by the said presiding officer, sealed up, and superscribed, with the name of the town and the words "Certificate of votes for representative to congress;" which certificate shall be in the form following, to wit :

STATE OF VERMONT.

At a freemen's meeting legally warned and holden at
on the day of

A. D. the votes for representative to congress, having been duly taken, sorted and counted, the following persons had the number of votes annexed to their names respectively, viz.

Form of certificate.

Given under my hand, at
day of

this

A. D.

A. B. first constable, town clerk, justice of the peace,

(as the case may be) and the said certificate of such votes, which shall be so taken, sealed and superscribed as aforesaid, the presiding officer shall deliver to the representative, chosen to represent such town in the general assembly, or the representative of some adjacent town; and such representative shall deliver the same to the committee to be elected by the general assembly for each respective district; which committee shall, on the Monday next following the second Thursday of October, commence sorting and counting such votes, in their respective districts; and when they shall have received, sorted, and counted all the votes, legally given in, by the freemen, they shall declare the person having the majority of all the votes, in their respective districts, to be elected a representative to represent this state in the congress of the United States, and give notice thereof to the chief magistrate of this state.

Certificate to be delivered to town representative.

Canvassing com. shall declare election.

SEC. 4. — That if, in any district, no person shall have a majority of all the votes of such district, given in on the first Tuesday of September, as aforesaid; the committee for such district shall give notice thereof to the chief magistrate of this state, with the statement of the number of votes for each candidate; and it shall be the duty of the chief magistrate to issue his proclamation, which shall be published in all the newspapers printed in said district, and in such other papers as shall be directed by the chief magistrate: thereby making known to the electors of said district, that no election is made in said district, and of the number of votes given to each candidate, and requiring the freemen of said district to meet at the usual places in the several towns for holding freemen's meetings, and if, in any town, such meetings have occasionally been held at different places, at the place where the meeting was last held in such town, for the election of a representative to congress, on the second Tuesday of November then next, at one o'clock in the afternoon, to elect a person to represent this state in the

If no choice, committee to notify governor.

Governor to issue proclamation.

congress of the United States; which said meeting shall be governed and conducted as is in this act before directed.

Certificate of votes to be delivered to county clerks.

SEC. 5. — That a certificate of the number of votes, for each candidate, so taken at every such meeting, on the said second Tuesday of November signed as is in this act before directed—a record of which shall be made in the town clerk's office—shall be sealed, as is, in this act, before directed, and shall, by the presiding officer of such meeting, be delivered to the clerks of their respective county courts; *Provided*, that the constables of that part of the county of Windsor that is annexed to the first district, shall deliver their votes to the clerk of the court for the county of Windham, and that part of the county of Orleans annexed to the fifth district shall deliver their votes to the clerk of the county court for the county of Caledonia, within one week after the holding of such meeting; whose duty it shall be to meet on the second Tuesday next succeeding the time of holding said meeting, at the following places, in their respective districts, that is to say: at New Fane, in the first congressional district; at Middlebury, in the second congressional district; at Chelsea, in the third congressional district; at St. Albans, in the fourth congressional district; at Danville, in the fifth congressional district—and there proceed, publicly, to canvass said votes, and to declare the person having a majority of all the votes, to be elected to represent this state in the congress of the United States; of which election they shall notify the chief magistrate of this state, within one week from the day last aforesaid; and, in case of the sickness or absence of any clerk aforesaid, the sheriff of the county in which such clerk resides, shall perform all the duties incumbent on such clerk.

Clerks, when and where to meet.

Sheriff to perform duty of clerk in case of absence, &c.

Canvassers to make return to governor.

Governor to direct another meeting.

Duty of presiding officers.

Clerks again to meet.

SEC. 6. — That in case the county clerks, at any such meeting, shall find that no person hath a majority of the votes as aforesaid, then, and in that case, the said clerks shall return to the governor of this state, within one week after such meeting, the names of all the candidates, with a statement of all the votes for each of them; and it shall be the duty of the governor to issue his proclamation, as before directed in this act, requiring the freemen to meet, as is before directed in this act, on the first Tuesday of January next succeeding. And the presiding officers of such meetings shall take, and return the votes, certified and recorded, as is herein before directed in this act, to the said clerks, in their said districts, within one week from such meeting; and such clerks shall meet in the places herein before appointed, on the second Tuesday next succeeding the time of holding said meeting, and proceed publicly, to canvass the votes, and to declare the person having the greatest number of votes elected to represent this state in the congress of the United States, and notify the governor of this state, as aforesaid.

SEC. 7. — That it shall be the duty of the several county

clerks, as aforesaid, in the several districts, when canvassing the votes for representative to congress, to make out a true list of all the certificates, from the several towns, with the number of votes for each candidate, from each of said towns, that are, by them, considered legal; and also, another list of such votes as are deemed illegal; and lodge certified copies of said lists in the several county clerk's offices in such districts, open for inspection; and that they preserve the original certificates, until after the first session of the congress for which the said election is held; and that the committee appointed by the general assembly, for the purpose mentioned in this act, make out certificates as above described, and lodge with the clerk of the general assembly, for inspection, during the then session of the general assembly; and also, lodge the original certificates with the secretary of state, to be by him kept, for the time in this act before mentioned.

Canvassers to make list of legal and illegal votes, and lodge them in county clerk's office.

And preserve original certificates, &c.

Duty of committee appointed by general assembly.

SEC. 8. — That in case of absence, or disability, of any town clerk, at any freemen's meeting, holden as aforesaid, it shall be the duty of a justice of the peace, or of one of the selectmen, who is not the presiding officer, to perform the duty of such town clerk, by-taking a list of the names of the voters, and the number of votes for each candidate, and shall attest the same; and within three days after such meeting, shall lodge the same in the office of such town clerk.

Justice peace, or selectman to perform duty of town clerk in case of absence, &c.

SEC. 9. — That the presiding officers of such freemen's meetings, county clerks, sheriffs and judges, shall be allowed five cents a mile for travel each way; and the clerks, sheriffs and judges, two dollars per day, for each day's attendance, while canvassing said votes; and the several county clerks shall draw orders on the treasurer of this state, for the payment of the presiding officers, for returning such certificates as aforesaid; and the judges of the supreme court shall allow the accounts of such clerks, sheriffs and judges, and draw orders on said treasurer, who is hereby directed to pay the same.

Fees.

SEC. 10. — That it shall be the duty of the chief magistrate of this state, to cause to be executed, under his hand, and under the seal of this state, proper credentials to the persons declared to be elected agreeably to this act.

Gov. to issue credentials.

SEC. 11. — That any person, neglecting to do the duties enjoined on him by this act, shall forfeit and pay into the treasury of this state, a sum not less than twenty dollars, nor exceeding five hundred dollars, for every such offence; and it shall be the duty of all informing officers, to make due presentment of every breach of this act.

Penalty for neglect of duty.

SEC. 12. — That if any person shall be guilty of using any indirect, sinister or corrupt means, in the execution of any of the trusts by this act reposed in him, or with intent to corruptly influence any elector or electors in giving their ballots, at any such election, or to corruptly influence any officer or officers, in the discharge of any of the duties, in this act pointed

Penalty for corruption, &c.

out; or shall give in, or attempt to give in, more than one vote, or give his own vote in any other district than that wherein he resides at any such election; each person so offending, and being thereof convicted, shall forfeit and pay a sum not exceeding fifty dollars, to be recovered by action of debt, before any court proper to try the same; one half with costs, to the prosecutor, and the other half to the treasury of this state; and if any person shall by bribery, menace, or other corrupt means or device, either directly or indirectly, attempt to influence as aforesaid, any person to give his vote for him, or to deter him from giving his vote for any other person, at any election for the choice of any person to represent this state in the congress of the United States, and be thereof convicted, he shall forfeit and pay the sum of two hundred dollars, to be recovered, and applied, as aforesaid, and be disabled from holding any office in the gift of this state.

Penalty for using undue influence.

Canvassers being divided, shall call on judge of county court.

SEC. 13. — That in every case in which the county clerks, as aforesaid, shall, in canvassing the votes in any district, be equally divided on any question relative to the admission of any votes, then they shall call to their assistance one of the judges of the county court in the county in which the votes are canvassed; and the said judge shall have an equal voice with the canvassers, in canvassing such votes.

Canvassers to be sworn.

SEC. 14. — That the judges, sheriffs, and clerks, shall, severally, be sworn to a faithful discharge of the duties required by this act, previous to their entering upon the business of canvassing said votes; which oath may be administered by any justice of the peace within this state.

Freemen's meeting to elect rep. to 23d congress when and where to be holden.

SEC. 15. — That the freemen's meeting to elect representatives to the twenty-third congress of the United States shall be holden on the first Tuesday of January next, which meetings shall be warned, governed and conducted, and records and certificates made as is directed in the second and third sections of this act, and the said certificates shall be returned and the votes canvassed and return thereof made, as directed in the fifth section of this act; and if in any district no person shall have a majority of all the votes of such district, notice thereof shall be given to the chief magistrate, as before provided, whose duty it shall be to issue his proclamation as directed in the fourth section of this act, therein requiring the freemen of said district as directed in said section to meet on the first Tuesday of March next, to elect a person to represent this state in the congress of the United States, which said meeting shall be governed and conducted and the votes sorted and counted, and record and certificates made, and said certificates returned to said county clerks, and the votes canvassed and the result declared and notice thereof given as in this act before directed; and if no person hath a majority of the votes aforesaid, it shall be the duty of the governor to issue his proclamation as before directed, requiring the freemen to meet as before directed, on

Proceedings when, in any district, no person is elected.

the first Tuesday of May next, and the presiding officers shall take and return the votes as herein before directed to the said clerks in their said districts within one week from such meeting, and such clerks shall meet in the places herein before appointed, on the second Tuesday next succeeding the time of holding said meeting, and proceed publicly to canvass the votes and to declare the person having the greatest number of votes elected to represent this state in the congress of the United States, and notify the governor of this state as before provided.

Clerks to declare the person having the greatest number of votes, elected.

SEC. 16. — That if by death, resignation, or otherwise, any vacancy shall happen, it shall be the duty of the chief magistrate to issue his proclamation, directing a new election, in the district where such vacancy shall happen; and the same proceedings shall be had as are directed in this act, in cases where there is no election made by the votes given in on the first Tuesday of September, and in case no person shall have a majority of all the votes given in at the freemen's meetings holden in pursuance of such proclamation, the same proceedings shall be had as are directed in this act, in case there is no election by the votes given in on the second Tuesday of November, and the person having the greatest number of votes at the second trial, shall be declared to be duly elected to represent this state in the congress of the United States.

Proceedings in case of a vacancy.

The person having greatest number of votes shall be declared elected.

SEC. 17. — That an act entitled "an act dividing the state into districts for electing representatives to the congress of the United States, and directing the mode of their election," passed November eleventh, in the year of our Lord one thousand eight hundred and twenty-two, and all other acts and parts of acts inconsistent with the provisions of this act, be, and the same are hereby repealed.* *Provided*, that the said acts hereby repealed, shall remain and be of full force, except the last providing clause of the act first above mentioned, for the purpose of filling any vacancy that has happened, or shall happen in the twenty-second congress, and for the prosecution of any penalty that has accrued, or shall accrue, for the breach of said acts.

Former acts repealed.

*See Slade's compiled laws, chap. 57.

SEC. 18. — That it shall be the duty of the secretary of state immediately to cause this act to be published in all the newspapers printed in this state.

This act to be published.

CHAPTER XLIX.

OF THE UNIVERSITY OF VERMONT.

Slade's comp.
laws, chap. 88.

An Act, in addition to, and in amendment of, the several acts for the purpose of founding the University of Vermont.

Passed Oct. 30,
1828.

Vacancies in
board of trustees
to be filled
by board.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That whenever, hereafter, any vacancy shall occur in the board of trustees of the University of Vermont, by death, resignation or otherwise, the said trustees or a majority of them, shall have power, at any regular meeting of the same, to fill such vacancy, and so much of the acts passed in the year of our Lord one thousand eight hundred and ten, and in the year of our Lord one thousand eight hundred and twenty-three, in relation to said board of trustees, as prescribes the number, term of service, and mode of election of the members thereof, is hereby repealed.

Rights & powers
of trustees.

SEC. 2. — That the board of trustees formed and constituted according to the provisions of this act, shall possess and exercise all the corporate rights, powers and privileges, vested in the trustees of the University of Vermont, by their charter and the laws of this state.

Gov. and council
to appoint
three com'rs. to
attend examinations.

SEC. 3. — That three commissioners shall hereafter be appointed annually, by the governor and council, whose duty it shall be to attend at the said University, once in each year, for the purpose of being present at the annual examination of the students thereof; of inquiring into the internal regulations and by-laws; the state of the funds, and the general execution of the provisions of the charter of said University, and to make report of their proceedings to the legislature of the state of Vermont, at the next session thereof, after such visit and inquiry; and so much of the act passed in the year of our Lord one thousand eight hundred and ten, as requires a report to be made to the legislature by the board of trustees, is hereby repealed.*

Part of act of
1810 repealed.

*See Slade's
compiled laws,
chap. 88, no 4,
sec. 6.

Provided, That nothing in this act shall prevent the present board of trustees from remaining in office according to the provisions of the act entitled "an act in addition to, and amendment of the act for the purpose of founding a University at Burlington," passed November second, eighteen hundred and ten.

Present trustees
to hold out
terms of office.

Right of repeal.

Provided also, That this act may be repealed by any future legislature.

CHAPTER L.

OF SCHOOLS.

No. 1.

An Act, for the benefit of common schools.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the amount of the avails accrued to this state, from the late Vermont State Bank, be, and the same is hereby sequestered and granted to the respective towns in this state, for the benefit of common schools, and to no other use; to be managed as a school fund, agreeably to the provisions in this act, hereinafter prescribed.

Slade's comp. laws, chap. 89.

Passed Nov. 17, 1826.

Avails of Vt. state bank sequestered for school fund.

SEC. 2. — That the amount of this state's funds accruing from the six per cent. on the nett profits of the respective banks chartered by this state, which are now, and which hereafter may be in operation, already received, and which hereafter shall accrue and grow due to this state, and which has already accrued, and which hereafter shall accrue, from licenses to pedlars, be, and the same is hereby sequestered and granted to the respective towns in this state, for the benefit of common schools, and to no other use; to be managed as a school fund, agreeably to the provisions in this act, hereinafter prescribed.

Revenue received from banks and pedlar's licenses, reserved for school fund.

SEC. 3. — That the treasurer of this state, for the time being, be, and he hereby is, appointed commissioner of the school fund created by this act: and it is hereby made his duty, as soon hereafter as may be, and from time to time, as the said funds shall accumulate and become receipts in the treasury, to invest the amount of moneys, so received from these sources of revenue, in approved bank stock, or in such other productive or national securities, as he may find opportunity, and be enabled to procure and negotiate, in order that the same may be a productive and accumulating fund. And the profits and interest, which the same may annually yield and produce, shall, as soon as may be, after its receipt, be rendered and improved as principal, and be securely placed in such condition as to yield interest and profit. And the auditor of the treasury shall audit the doings of the treasurer in this behalf, and make report, annually, of all matters thereunto appertaining, and especially the amount, increase, and securities of said school fund.*

Treasurer appointed com'r. of school fund.

To invest am't. received in productive securities.

Interest of fund to be added to principal.

Auditor of the treasury to audit commissioner's accounts, and report the situation of the fund.

SEC. 4. — That the treasurer and auditor shall receive, for their services, such amount of compensation, respectively, as the legislature, from year to year, shall think just and equitable.

*See no. 5.

Treasurer and auditor entitled to compensation for their services.

SEC. 5. — That the accumulating school fund, contem-

Fund to accu-

mulate until interest will support district schools, two months in each year.

plated by this act, shall not be diminished, improved, or appropriated to the use of schools, until the amount of principal of said fund shall increase to a sum sufficient to yield an annual profit and interest, adequate to defray the current expenses of keeping a good, free, common school in each district, in the respective towns, for the period of two months in each and every year.

No. 2.

An Act, to provide for the support of common schools:

Passed Nov. 9,
1827.

Towns to support schools.

Instruction.

Towns to be divided into school districts.

Districts to be numbered, and descriptions to be recorded by town clerk.

*See no. 3.

†All of this section in brackets repealed; see no. 6.

Superintending committee to be chosen by towns.

Their duties.

To examine instructors.

Instructors not entitled to pay, without certificate of superintending com.

Superintending committee to visit and examine schools.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That each organized town in this state shall keep and support a school or schools, provided with a teacher or teachers, of good morals, for the instruction of youth in orthography, reading, writing, English grammar, geography, arithmetic, history, of the United States, and good behavior.

SEC. 2. — That the inhabitants of any such town, in which the youth cannot be conveniently accommodated with one school, at a legal meeting, notified for that purpose, are hereby authorized, empowered and directed to divide such town into as many school districts as they shall judge most convenient; to define and determine their limits, and to alter the same, and to create new districts, as, from time to time, they may deem expedient; which school districts shall be numbered, and a description of the same, and any alterations made therein, recorded in the town clerk's office of such town.*

SEC. 3. — [†That each town in this state shall, at the annual meeting thereof for the choice of town officers, choose a committee, consisting of three, five, or seven persons, to be styled the superintending committee, who shall have the general charge and superintendence of all the public schools in said town, which are supported at the expense of such town, or the school districts in such town. And it shall be the duty of said committee to require full and satisfactory evidence of the good moral character of all instructors who may be employed in the several schools in said town, and to satisfy themselves, by personal examination, of their literary qualifications for teaching, and capacity for the government of schools; and no instructor shall be entitled to receive any compensation for his or her services in the instruction of any of the schools aforesaid, without first obtaining from said committee, or a majority of them, a certificate of his or her qualifications as aforesaid. And it shall, furthermore, be the duty of said committee, or some one of them, to visit each of the district schools in said town, for the purpose of making a careful examination thereof—of seeing that the scholars thereof are properly sup-

plied with books, of inquiring into the regulations and discipline of such schools, and of the habits and proficiency of the scholars therein ; such visits to be made on some day during the first or second week after the commencement of such school, and also once a month afterwards, during the continuance of such school, without giving previous notice of such visit to the instructors of such schools ; and also once, during the last week of the school.] And the selectmen in each town shall lease the estate, and loan the monies that now are, or hereafter may be sequestered or appropriated for the use of schools in such town, and shall annually render an account for the same to the town by which they are appointed.

Selectmen to lease estate, loan school monies, & render account.

[SEC. 4. — That the superintending committee of each town shall direct and determine the class books to be used in the respective classes in all the several schools, kept by the said town, and from and after the first day of January, in the year of our Lord one thousand eight hundred and twenty-nine, no other books shall be used in any such school but such as the superintending committee shall direct and determine. *Provided*, That said committee shall never direct any school books to be purchased or used in any such school, which are calculated to favor any particular religious sect or tenet.]

Class books to be designated by superintending committee

Repealed, see no. 6.

Proviso.

[SEC. 5. — That the superintending committee in the several towns in this state be, and they are, hereby, required to make and return to the secretary of state, on or before the third Thursday of October, in the year of our Lord one thousand eight hundred and twenty-eight, and on the third Thursday of October of every year thereafter, the amount of money paid by such town during the year ending on the last day of September preceding the time of making such report, for the instruction of schools kept by said town ; also the amount raised for the same purpose, and during the same time, in the respective school districts in said town ; the number of school districts into which said town is divided : the aggregate number of months that the several schools were kept by said town in said year, and what portion thereof was kept by male, and what by female teachers ; the whole number of pupils, who have attended any of said schools during said year ; the whole number of children in said town between the ages of four and eighteen years, and whether there are any, and what the number, of persons, over fourteen and under eighteen years of age, who are unable to read and write.]

Sup. com. to make annual return to sec'y. of state of number of scholars, &c.

Repealed, see no. 6.

[SEC. 6. — That it shall be the duty of the secretary of state, by the first day of September, annually, to furnish to each town in this state a blank form of return in manner following, viz :

Sec. of state to furnish blanks. Repealed, see no. 6.

Return of the superintending committee of — concerning schools in said town, for the year ending Sept. 30, A. D. —
Number of persons over fourteen years and under eighteen, unable to read or write.

Form of returns.

Amount of money paid by this town for public instruction, during the year.

Amount of money paid by the school districts for public instruction during the year.

Number of public school districts.

Aggregate time of keeping schools in the year, estimated in months, and what portion thereof was kept by male, and what by female teachers.

Number of pupils who have attended the public schools during the year.

Number of children in the town between the ages of four years and eighteen.

Attest,

Superintending Committee.]

Mode of organizing school districts.

SEC. 7. — That upon the application of three or more of the inhabitants of any unorganized school district in any town or towns to the selectmen of such town, for a school meeting in such district, the said selectmen shall notify the same, by posting up a notification, in writing, for such meeting, in one or more of the most public places in said district, therein specifying the business to be done, and the time and place of holding said meeting, which notification shall be posted up, at least seven days before the therein specified time. And it shall be the duty of said selectmen, or some one of them, to preside at such meeting, until a moderator and clerk are chosen, when said district shall be deemed and holden to be legally organized; and every organized district, at any legal meeting, warned for that purpose, shall have power to choose a moderator to govern said meeting; a collector of rates; a district clerk; and it shall be the duty of said clerk to make a fair record of all votes, passed at any meeting of said district; to certify the same when required; to return to the clerk of the town or towns, as the case may be; a list of the number of children in said district, in the month of March annually, as they are on the first day of March, between the ages of four and eighteen years—the names of the heads of families, and the number of scholars in each, and also, certify the number of weeks in which a school has been kept in said district during the year then next preceding; and the town clerk shall make an entry or record of the same, and to hold such office until another person shall be chosen in his room; and a committee of one or three persons, inhabitants of said school district, to be denominated the prudential committee of said school district, and whose duty it shall be to keep the school house of such district in good order, at the expense of such district, and in case there should be no school house, to provide a suitable place for the school of the district, at the expense thereof—to see that fuel and furniture, and all things necessary for the scholars therein be provided—to select and contract with a teacher for his or their own district, and to remove said teacher if necessary—and to give such information and assistance to the

Dist. officers.

Collector.

Clerk.

Clerk's duty to make returns in March to town clerk.

Term of office.

Prudential committee.

Their powers and duties.

said superintending committee, as may be necessary to aid them in the discharge of the duties required of them by this act—to hold such office until another person or persons shall be chosen in his or their room.* And any clerk, of any school district legally chosen as aforesaid, shall have the same power of warning a school meeting upon application in writing of three or more legal voters in such school district, as is herein before given to the selectmen—and in the absence or neglect of the clerk, the prudential committee, or any one of them, may have the same power in their respective districts. And any man, who is twenty-one years old, and is liable to pay taxes in said district, and is a resident of the district at the time, shall be considered a lawful voter.

Term of office.

*See no. 4.

School meetings warned by clerk and in his absence by committee.

Legal voters.

SEC. 8. — †That when any number of inhabitants, residing in two or more adjoining towns in this state, shall find it necessary to form into a district for the purpose of supporting a school, that such towns, by a concurrent vote, be and they are hereby empowered to form them into a school district for the purposes aforesaid—and on application, in writing, of three or more legal voters of such district to the selectmen, or either of them, of either of the towns forming such district, to call the first meeting of such district for the purpose of organizing the same, the selectmen, or either of them, shall within a reasonable time notify such meeting—and they, or one of them, shall be present, and preside over the same, as is provided for in other school districts, and when such district shall be so formed, they shall have all the powers and privileges of other school districts. And the inhabitants of any school district, formed as aforesaid, shall be entitled to draw their proportion of the public money from the treasury of the town in which they shall reside, in the same manner and under the same regulations as other school districts. And it shall be lawful for any town in this state, by vote in town meeting, to set any person or persons, residing in such town, to a school district in an adjoining town, if such district shall, by vote, signify its willingness to receive such person or persons; and such district shall be entitled to receive from the town in which such person or persons reside, a proportion of the public money in the same manner as is provided in case a district is formed by the concurrent vote of two towns.

†See no. 3.

School districts formed in two or more towns.

Mode of organization.

Regulation of distribution of public money.

Town may set off persons to districts in adjoining towns.

SEC. 9. — That it shall be the duty of the selectmen in the several towns in this state, previous to the first day of January in each year, to assess a tax of three cents on the dollar on the list of polls and rateable estates in such town, to be collected and paid to the treasurer of such town previous to the first day of March, annually, in the same manner that other town taxes are by law collected—and the moneys so raised shall be equally divided by the selectmen of such town between the several school districts, according to the number of children in each district between the ages of four and eighteen years, as

Selectmen to assess tax of three cents annually by January 1.

Tax payable by March 1.

Selectmen to divide school monies.

Rule for division.

Duties of districts entitled to monies.

Towns having certain funds, may omit assessing tax.

Districts may raise money for building or repairing school houses.

May select site for school house.

May raise money for support of schools.

Persons taxed in dist. where they reside.

Real estate where taxed.

Mode and time of assessment of taxes.

Collector to receive warrant for collection of taxes.

aforesaid, and the same shall be paid over under the direction of the selectmen of such town, respectively to the prudential committee of the respective school districts. *Provided*, that no district shall receive any benefit from the money to be raised as aforesaid, unless it shall have kept a school therein with other moneys, than such as are drawn from the town treasury for the term of two months within one year next before the time of distributing such school money. *Provided also*, that whenever the amount of the funds for the support of schools in any town shall produce as great a sum as is directed to be collected as above, the sum produced by such fund shall be distributed as herein provided for said tax, and the selectmen of such town may omit assessing the above mentioned tax, or so much thereof as shall be equal to the sum produced by such fund.

SEC. 10. — That the inhabitants of the several school districts within any town which has already, or shall hereafter define the limits of such districts, be, and hereby are, empowered at any meeting called in the manner herein before provided, to raise money for erecting or repairing a school house in their respective districts, or to purchase or hire any house or building to be used as a school house, and also to purchase land for a school house to stand upon, and for the accommodation of the same ;—to determine in what part of said district such school house shall stand, to choose a committee to superintend the building, repairing, or purchasing of such school house, and for procuring necessary utensils about the same ;—also to raise so much money at any such meeting for the support of the school in such district, as said inhabitants may judge necessary, to be assessed in manner as hereinafter provided.

SEC. 11. — That for the purposes aforesaid, every person shall be taxed in the district in which he or she lives, for all the estate he or she holds in the said district, and all other of his or her real estate in the same town shall be taxed in the district in which it is situated ; and lands when the owner thereof lives without the town, shall be taxed in the district in which they are situated ; and the prudential committee in any school district shall assess in the same manner as town taxes are assessed on the polls and rateable estates of the inhabitants, comprising such school district defined as aforesaid, and on lands in said district belonging to persons living out of the said district, all monies voted to be raised by the inhabitants of such district for the purposes herein before specified, in thirty days after the vote of said district raising such sum ; and it shall be the duty of any justice of the peace in the same county to make a warrant in due form of law, directed to the collector of such school district, requiring and empowering said collector to levy and collect the tax so assessed, and to pay the same within a time to be limited in said warrant, to the prudential committee of such school district, to be applied to

the purposes for which said tax was raised ; and such collector, in collecting said tax, shall have the same power as collectors of town taxes, and be holden to proceed in the same manner, as is by law provided in collecting town taxes.

Duties & powers of collector.

Provided nevertheless, That the inhabitants of any school district, at a meeting legally warned as aforesaid, shall have the power, for the purpose of supporting its school, to raise money by subscription, or otherwise, and the committee shall make a rate bill thereof, and the same shall be delivered to the collector aforesaid, and shall be levied, collected and paid over by him in the same manner as is before directed in this act, and the said committee and collector shall be in like manner accountable for the same.*

Money may be raised by subscription and collected by rate bill and warrant.

*See no. 6. How to be construed.

SEC. 12. — That the prudential committee of any school district shall have the same authority to enforce the collection and payment of the money voted and assessed by said district, as the treasurer of a town by law has for enforcing the payment and collection of town taxes.

Power of prudential committee to enforce collection of taxes.

SEC. 13. — [†That the selectmen and civil authority of the several towns in this state be, and they are hereby vested with the same powers to remit sums of money assessed on the inhabitants of every school district, for the purpose of purchasing, building, hiring, repairing or furnishing school houses, or supporting schools, as they have to remit any sums of money assessed on the inhabitants of any town for defraying town expenses.]

†Repealed, see no. 6.

Selectmen and civil authority may abate taxes.

SEC. 14. — That if the inhabitants of any school district cannot agree where to erect or place a school house for the accommodation of the same, the selectmen of the town or towns to which such school district belongs, upon application made to them by the committee of the district, for building or placing a school house, are hereby authorized and empowered to determine the place where a school house for the accommodation of the district shall be placed or erected.

Selectmen to locate school houses where districts disagree.

SEC. 15. — That each and every school district in this state is hereby made a body corporate so far as to bring and maintain any action on any agreement made with any person or persons, for the non-performance thereof, or for any damage done to their school houses or other property, and shall be liable to have any action brought and maintained against them, for the non-performance of any contract made by them : and said corporation shall have power to take and hold in fee simple, or otherwise, any estate, real or personal, which has been, or may be given by any person or persons, or be by said district otherwise procured, for the purpose of supporting a school or schools in said district, and to apply the same for the purposes aforesaid ; and may prosecute and defend any suit or suits relative to the same ; and every member of any school district shall and may be admitted as a competent witness in any suit to which said district is a party.

Districts declared bodies corporate, and vested with certain powers.

May hold estate.

Prosecute and defend suits.

Members competent witnesses.

*Repealed, see
no. 6.

Board of com-
missioners con-
stituted.

Their meet'gs.

Their general
duties.

Penalty for ne-
glect or false
return of dis-
trict clerks.

Mode of prose-
cution.

Penalty for
neglect of clerk
or committee in
warning school
meetings.

Penalty for em-
bezzlement or
misapplication
of town or dis-
trict funds.

SEC. 16. — [*That there be annually chosen by the legislature, a board of commissioners, consisting of five persons, to be denominated the board of commissioners for common schools, whose duty it shall be to meet once in each year, and oftener if said board shall deem fit, the time and place of holding such meeting or meetings to be determined by a majority of said board; to make and prepare a list of school books, from which they shall advise the superintending committees in the several towns in this state to select the books to be used in the common schools in their respective towns, which said list the said board is required to publish in the several papers in this state; to correspond with and endeavor to procure information from citizens of this and other states on subjects connected with the education of youth; to examine into the operation of, and effects produced by the laws of this state for the support of common schools; and if in their opinion any alterations in said laws have become necessary, to specify the same; and to make an annual report of their proceedings to the legislature.]

SEC. 17. — That if any district clerk shall wilfully neglect to make such return as is herein required, or shall knowingly and wilfully make a false return of the number of scholars in his district, he shall forfeit a sum of money equal to the whole amount of moneys which his district would be entitled to draw from the treasury of the town in which such district shall lie, during the year in which the offence shall be committed; to be recovered with costs in the name of the treasurer of such town, and for the use of schools in such town, in an action of debt to be brought on this statute, before any court competent to try the same. That if any district clerk, or prudential committee, whose duty it is to warn a meeting of any school district for the purpose of choosing the necessary officers of said district, or for other purposes, shall neglect or refuse to warn such meeting, after application is made to them in writing by three legal voters, belonging to said district, for the space of ten days, they shall forfeit and pay for the benefit of said district, the sum of twenty dollars for each delay of ten days thereafter, to be recovered by an action of debt brought on this statute, in the name of said district, before any court of competent jurisdiction, with full costs of prosecution. That if any person or persons, by this act entrusted with the care, charge or management of any money, land or other property belonging to any town or school district, shall embezzle, misapply or conceal the same, or any part thereof, he or they shall be liable to be removed from his or their trust, and shall forfeit and pay to such town or district, to which such money, land or other property, so embezzled, misapplied or concealed, belonged, double the sum so embezzled, misapplied or concealed, to be recovered in an action of debt brought on this statute, in the name of such town or district, before any court of competent jurisdiction, with costs.

SEC. 18. — [*That any town in this state, the selectmen of which shall refuse or neglect to assess the tax for the support of schools, as is provided for by this act, or any town that shall neglect, at the annual meeting thereof, for the choice of town officers, to choose a committee to superintend said schools, shall forfeit and pay for such default of their selectmen as aforesaid, upon conviction thereof, a sum equal to twice the sum, which said selectmen are by this act required to assess; and for refusing or neglecting to choose the superintending committee aforesaid, upon conviction thereof, a sum not exceeding two hundred dollars nor less than one hundred dollars, to be recovered by information or indictment in the county court in the county in which such town is situated; and the money, so recovered, shall be paid into the treasury of said county, one fourth thereof for the use of said county, and three fourths thereof shall be paid by the said treasurer to the selectmen of such town for the support of schools therein; and every such board of selectmen, who shall receive notice from the treasurer of the county in which they reside, of any money being holden by him for the purpose aforesaid, shall, forthwith, receive, apportion and appropriate the same to the support of schools in such town, in the same manner it should have been appropriated if it had been assessed by the selectmen of such town, pursuant to the provisions of this act.] And it shall be and hereby is made the duty of the grand jurors empannelled before any county court in this state, in each and every year from the passing of this act, to inquire and ascertain whether each and every town, in their respective counties, have observed and duly performed the duties herein before prescribed with regard to assessing, collecting and expending the tax required to be assessed, collected and expended as aforesaid.

SEC. 19. — That the secretary of state be directed to transmit to the town clerk of each and every town in this state, as soon as conveniently may be, a sufficient number of printed copies of this act, to supply each school district with one copy. And it shall be the duty of said town clerks to deliver to the prudential committee of each district, one copy for the use and benefit of the district.

SEC. 20. — †That an act passed on the thirty-first day of October in the year of our Lord one thousand seven hundred and ninety-seven, entitled "an act for the support of schools;" also an act passed on the fifth day of November in the year of our Lord one thousand eight hundred and eight, entitled "an act empowering towns to lay out school districts in certain cases;" also, an act, passed on the seventh day of November in the year of our Lord one thousand eight hundred and nine, entitled "an act in addition to an act, entitled 'an act for the support of schools,' passed October thirty-first, seventeen hundred and ninety-seven;" also, an act, passed on the third day of November, in the year of our Lord one thousand eight

*All this sec. in brackets repealed; see no. 6.

Penalty for neglect of towns to assess annual tax or to choose superintending com.

How recover'd.

Disposition of moneys so recovered.

Duties of county treasurer and selectmen.

Grand jurors to inquire respecting observance of this act.

Town clerks to be furnished with copies of this act—and distribute them.

†See Slade's compiled laws, chap. 89, no. 1, 2, 3, &c.

Repeal of former acts.

hundred and ten, entitled "an act, in addition to an act, entitled 'an act for the support of schools;'" also an act, passed on the sixteenth day of November in the year of our Lord one thousand eight hundred and thirteen, entitled "an act in addition to an act entitled, 'an act empowering towns to lay out school districts in certain cases,'" passed November fifth; one thousand eight hundred and eight; also an act, passed on the seventh day of November in the year of our Lord one thousand eight hundred and eighteen, entitled "an act in addition to an act, entitled 'an act for the support of schools,'" passed October thirty-first, seventeen hundred and ninety-seven; also an act, passed on the fifteenth day of November in the year of our Lord one thousand eight hundred and twenty-one, entitled "an act in addition to an act, entitled 'an act for the support of schools,'" and the several acts in addition thereto;" also an act, passed on the ninth day of November in the year of our Lord one thousand eight hundred and twenty-four, entitled "an act in addition to an act for the support of schools;"* also an act, passed on the fifteenth day of November in the year of our Lord one thousand eight hundred and twenty-six, entitled "an act in addition to an act for the support of schools;" also an act, passed on the sixth day of November in the year of our Lord one thousand eight hundred and twenty-six, entitled "an act relating to common schools*;" also an act, passed on the fifteenth day of November in the year of our Lord one thousand eight hundred and twenty-six, entitled "an act in addition to an act, entitled 'an act for the support of schools,'" severally be, and they are hereby repealed. *Provided however*, That the several acts aforesaid shall continue and be in force so far as they, or either of them, may relate to any suit or suits already commenced, or taxes already assessed, or any thing done by virtue of said acts or either of them.

*See list of repealed acts at the end of this volume.

Saving clause.

Districts already organized to remain districts under this act.

SEC. 21. — That any school district organized previous to the passage of this act, in pursuance of the existing statutes of this state, shall be and remain a legal school district, subject to the provisions of this act; and all officers, already appointed in any school district, shall have the same powers, perform the same duties, and be under the same liabilities, as if appointed pursuant to the provisions of this act.

Towns may raise money for support of schools.

Assessment, distribution and collection of such moneys.

SEC. 22. — That the several towns in this state shall have power, at their annual March meetings, or at any other meeting warned for that purpose, to raise such sum or sums of money as they shall think proper, on the list of the polls and rateable property of such towns for the use and support of schools; and the sum or sums, so raised, shall be assessed and collected in like manner, as other town rates or taxes are assessed and collected; which money, so raised, shall be distributed and appropriated, in all respects, in the same manner and under the same limitations, as is in this act provided for the distribution and appropriation of the three cent tax; directed to

be assessed by the selectmen of the several towns : and whenever the amount of the taxes, raised by vote of any town, together with the school funds of such town, shall produce as great a sum as is in this act directed to be assessed by the selectmen, the said selectmen, in such case, may omit assessing said tax.

Towns having certain funds may omit raising money by tax.

No. 3.

An Act, relating to school districts.

Passed Oct. 28,
1828.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from, and after the passing of this act, any inhabitants of any town in this state, who have heretofore united with inhabitants of any other town or towns or who may, hereafter, so unite to form a district, for the purpose of supporting a school, may, on showing sufficient cause therefor, have said union discontinued.

Dissolution of school districts in two or more towns.

SEC. 2. — That whenever the inhabitants of a town, as aforesaid, wish to dissolve the connection, as aforesaid, it shall be their duty to apply to a judge of the county court of the same county, whose duty it is hereby made, to appoint three justices of the peace of the same county, and not inhabitants of either town, in interest : and said justices shall, at the expense of the petitioners, make inquiry into the circumstances of the case, and if, in their opinion, a dissolution be deemed expedient, they shall cause the same to take place, by making a certificate thereof, and leaving the same in the office of the town clerk of each town interested, to be there recorded.

Mode.

SEC. 3. — That in all cases where a dissolution as aforesaid shall be effected, it shall be the duty of the justices aforesaid to decree such distribution of the property belonging to the district, or such damage to be paid by the inhabitants of one town or towns to the inhabitants of the other town or towns, composing said district, as to them shall appear just and equitable ; and the decision of said justices shall be final between the parties concerned.

Regulation.

Assessment of damages.

No. 4.

An Act, in addition to " an act to provide for the support of common schools."

Passed Nov. 3,
1830.

It is hereby enacted by the General Assembly of the state of Vermont, That the clerks, collectors, committees and all other district officers, hereafter to be elected, by the several school districts in this state, shall hold and exercise their res-

Term of office of district officers.

pective offices for the term of one year, from the day of their elections, and until others are chosen in their stead—any thing in the act to which this is in addition to the contrary notwithstanding.

No. 5.

Passed Nov. 7, 1833. An Act, in addition to the act, passed November 17, 1825, entitled "an act for the benefit of common schools."

*It is hereby enacted by the General Assembly of the state of Vermont,** That the commissioner of the school fund, be, and hereby is, directed, hereafter, not to loan any more money from said fund, as heretofore, but to deposit the same in the treasury, as received; and the treasurer shall keep an exact account thereof, and, annually, charge the state with the interest on all the money so deposited, which shall be considered as borrowed from the aforesaid fund; and the treasurer is hereby authorized and directed to pay out said money, on any appropriations authorized by law.

*See no. 1.

Commissioners of school fund directed not to loan any more money from said fund.

To deposit same in treasury, &c.

No. 6.

Passed Nov. 6, 1833. An Act, to repeal certain sections, and parts of sections, and in explanation of an act, entitled "an act to provide for the support of common schools;" and also to repeal an act in addition to said act.

*SEC. 1. It is hereby enacted by the General Assembly of the state of Vermont, †*That the third section of an act, entitled "an act, to provide for the support of common schools," passed November ninth, one thousand eight hundred and twenty-seven, except so much of said section as relates to the duty of selectmen; and that the fourth, fifth, sixth, thirteenth, and sixteenth sections of said act, and so much of the eighteenth section of said act, as imposes a fine on any town for refusing or neglecting to choose a superintending committee of schools, in such town; and also, that an act, entitled "an act, in addition to an act, entitled, 'an act to provide for the support of common schools,'" passed October thirtieth, one thousand eight hundred and twenty-eight, be, and the same are hereby repealed.‡

†See no. 2.

Parts of former acts repealed,

‡See list of repealed acts at the end of this volume.

Eleventh section of the former act how to be construed.

SEC. 2. — That the proviso to the eleventh section of the aforesaid act, entitled "an act to provide for the support of common schools," shall not be construed to empower, or authorize, any school district to raise money for the purpose of

supporting its school, on any scholar, who does not attend such district school.

SEC. 3. — That from and after the passing of this act, the inhabitants of any school district, being legal voters therein, are hereby authorized, at a legal meeting warned for such purpose, to abate on any rate bill, made out for the collection of taxes, raised by the authority of such district, an amount not exceeding five per cent. two thirds of said inhabitants present, at such meeting, agreeing thereto.

Inhabitants of school district may abate on rate bill, &c.

CHAPTER LI.

OF THE SUPPORT OF THE GOSPEL.

No. 1.

An Act, authorizing the stewards of churches to hold lands for certain purposes.

Slade's comp. laws, chap. 7 & 91.

It is hereby enacted by the General Assembly of the state of Vermont, That the stewards of the several circuits and stations of the Methodist Episcopal church, within this state, and their successors in said office, be, and they are hereby empowered to hold real estate in trust for said Methodist Episcopal church, on which meeting houses, churches or chapels, for religious worship, and parsonage houses have been or may, hereafter, be erected, together with the lots appurtenant, for the purposes of said buildings, and such other buildings, as are usually connected therewith, and for those purposes only.*

Passed Oct. 30, 1828.

Stewards may hold sites for churches, parsonages, &c.

*See no. 2.

Provided, That the stewards of any one circuit or station shall not hereby be empowered to hold more than two acres, for any one meeting house, church or chapel, nor more than fifteen acres for any one parsonage.

Limitation.

No. 2.

An Act, in addition to an act, entitled "an act authorizing stewards of churches to hold lands for certain purposes," passed Oct. 30th, 1828.

Passed Nov. 7, 1833.

It is hereby enacted by the General Assembly of the state of Vermont, That the stewards, and their successors in office, named in the act to which this is an addition, be authorized to convey, by deed, or otherwise, any real estate committed to their trust; *Provided,* they first get a vote of two thirds of the members of some quarterly meeting conference, in the circuit or station where such property is situated.

Stewards authorized to convey real estate by deed, &c.

Proviso.

CHAPTER LII.

OF OBSERVANCE OF THE SABBATH.

Slade's comp.
laws, chap. 92.

An Act, in addition to an act entitled "an act to enforce a due observation of the sabbath."

Passed Nov. 13,
1827.

Penalty for dis-
turbance of reli-
gious meeting.

Justice may
without war-
rant order of-
fender into cus-
tody.

Sheriff may ar-
rest offender.

Persons arrest-
ed may be held
in custody for
trial.

Sheriff, &c.
may command
assistance.

Penalty for
sales, exhibi-
tions, &c. with-
in two miles of
camp meetings.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person or persons, on the first day of the week called sabbath, or on any other day or time, shall wilfully disquiet, disturb or interrupt any assembly of people, met together for religious worship or religious instruction, by making a noise, or by rude and indecent behaviour, or by profane discourse, either within or about the place where such assembly shall be collected for religious worship or instruction, so near as to disturb the order and solemnity of such meeting, each and every person, being thereof convicted, shall pay a fine to the treasurer of the town, in which the said meeting shall be holden, of a sum not exceeding forty dollars, nor less than five dollars; and every justice of the peace of such county, being present at such meeting, so disturbed as aforesaid, is hereby authorized, without warrant, upon the view of any person so offending against this act, to order such offender or offenders into custody; and all sheriffs, deputy sheriffs, constables, grand jurors and tithingmen, being present at such meeting so disturbed, as aforesaid, may, without warrant, upon view of any person or persons offending against this act, arrest every and all persons, so making disturbance as aforesaid. And all persons so arrested as aforesaid, shall be detained in custody, during the time of such meeting, or until a trial for such offence can be had according to law, and such justices of the peace, sheriffs, deputy sheriffs, constables, grand jurors and tithingmen, shall have the same power to command assistance in the execution of the aforesaid duties as sheriffs, by law, have; and all persons, being so commanded, and who shall refuse to obey such command, shall be subject to the same penalties as persons, by law, are, who refuse to assist sheriffs in their office and duty.

SEC. 2. — That if any person or persons shall, within two miles of any place where any camp meeting is held for religious worship, during the continuance of such meeting, sell or offer for sale, or procure to be sold or to be offered for sale any kind of spirits or spirituous liquors, or shall promote or exhibit any shows or plays, or shall promote or aid any horse-racing or gaming of any description, or shall, during the continuance of such meeting, sell or offer for sale any victuals, drink or merchandize, within half a mile of the place of holding such meeting, each and every person so offending, shall, for each offence, forfeit and pay a fine to the treasurer of the town

in which the said meeting shall be holden, not exceeding forty dollars, nor less than five dollars. And it is hereby declared to be the duty of every constable, grand juror and tithingman to prosecute all offences against this act.

Duty of constables, &c.

Provided, That nothing in this act shall be construed to prevent licensed retailers, inn-keepers or other persons from pursuing their ordinary business, at their usual places of business, nor to prevent any person from selling victuals within their own houses.

Proviso.

SEC. 3. — That an act, entitled “an act in addition to an act entitled ‘an act to enforce the due observation of the sabbath,’ passed the fifth day of November, in the year of our Lord one thousand eight hundred and nineteen, be, and the same is, hereby repealed.*

Repeal of act of 1819.

*See Slade's comp. laws, ch. 92, no. 3.

CHAPTER LIII.

OF THE STATE BANK.

An Act, making provision for the settling the concerns of the Vermont State Bank, and to repeal an act therein mentioned.

Slade's comp. laws, chap. 95.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That the legislature, at their present session, and annually thereafter, shall appoint an agent in behalf of this state, with full powers to collect all demands, secure them in whole or in part, as he may find practicable, and shall in his opinion be for the interest of the state, which have arisen or accrued by reason of the establishment of said bank; and, also, make sale of all real estate belonging to this state, which may have accrued through the medium of said bank, with full power to make, execute, and deliver all necessary conveyances and writings for effecting said purpose, either by deed or bonds, as may be in his opinion necessary, which bonds shall be binding on this state; and it shall be the duty of the agent,* appointed by an act passed October twenty-ninth, one thousand eight hundred and twenty-nine, to deliver to the agent appointed by virtue of this act, all demands of every name or nature, in his hands, which may have arisen out of the proceeds of said bank, and in like manner to deliver all writings in any way concerning the property of said bank, or for the sale of any real estate belonging to this state, arising in any manner, from the proceeds of said bank; and it shall be the duty of the agent appointed by virtue of this act, to take up the business contemplated by this act, and to complete the same as soon as, in his opinion, shall be consistent with the

Passed Nov. 8, 1832.

Agent to be appointed to settle concerns of state bank.

*George T. Hodges, of Rutland.

Powers and duties of agent.

interests of the state, and deposit all moneys he may receive, together with a statement of all his doings in the premises, before the twenty-fifth day of October annually, with the treasurer of this state, whose duty it shall be to communicate the same to the general assembly.

Act of 1829 repealed.

Proviso.

*See list of repealed acts at end of this volume.

Agent to give bond for faithful discharge of duty.

SEC. 2. — That the act entitled “an act, making provision for settling the concerns of the Vermont State Bank, and to repeal an act therein mentioned,” passed October twenty-ninth, one thousand eight hundred and twenty-nine, be, and the same is hereby, repealed.* *Provided nevertheless*, That the act last aforesaid, shall be and remain in full force as it relates to all acts heretofore done, or responsibilities accrued under the provisions thereof.

SEC. 3. — That before the agent appointed by virtue of this act shall enter on the business aforesaid, he shall execute and deliver to the treasurer of this state a bond, with good and sufficient sureties, to the said treasurer, and in the penal sum of ten thousand dollars, conditioned for the faithful performance of the trust reposed in him by this act.

CHAPTER LIV.

OF THE MILITIA.

No. 1.

Slade's Comp. Laws, Chap. 96.

An Act, repealing the sixth section of an act therein mentioned, and for other purposes.

Passed Nov. 12, 1825.

Sixth section of military act of Nov. 16, 1821, repealed.

*See Slade's compiled laws, chap. 96, no. 6.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That the sixth section of an act, entitled “an act, in addition to an act, entitled ‘an act regulating and governing the militia of this state, and the several acts in amendment of and in addition thereto,’” passed November sixteenth, one thousand eight hundred and twenty-one, be, and the same hereby is, repealed.*

Execution issued from reg. court martial to be directed to adj. or sergeant major.

Fees.

Powers of officer holding execution, and fees.

SEC. 2. — That every execution, hereafter issued by the president of any regimental court martial, shall be directed to the adjutant, or sergeant-major of the regiment to which the delinquent belongs; and the officer who may give notice of the imposition of a fine on such delinquent, by the sentence of a regimental court martial, shall be entitled to the same fees for travel as are allowed sheriffs and constables, for serving civil process: and the officer, who may hold any execution to collect, which shall have been issued by the president of any regimental court martial, shall have all the powers, and may collect and receive the same fees for travel, levying, collecting

and returning such execution, as are allowed sheriffs and constables for collecting other executions.

SEC. 3. — That it shall be lawful for the president of any regimental court martial, to include, in any execution, which he may issue for the collection of a fine imposed by such court martial, the travelling fees of the officer, who shall have given notice of such fine to such delinquent; and when such notice shall have been given to such delinquent, he shall be holden to pay to the officer, giving such notice, travelling fees as aforesaid.

Travelling fees of officer serving notice, to be included in execution.

No. 2.

An Act, for the benefit and encouragement of Iron Manufactories.

Passed Nov. 12, 1825.

It is hereby enacted by the General Assembly of the state of Vermont, That the owners of furnace establishments in this state, and all the workmen in their employ, necessarily connected with said iron works, to wit: moulders, fire-men and top-men, be, and hereby are, exempted from military duty, for and during the period any said furnace, in which they are respectively engaged, is in blast; any usage or law, to the contrary notwithstanding.

Certain workmen in furnace exempt from military duty, while furnace is in blast.

No. 3.

An Act, in addition to an act, entitled "an act regulating and governing the militia of this state," passed November 10, 1818.

Passed Nov. 17, 1825.

It is hereby enacted by the General Assembly of the state of Vermont, That any person, thinking himself aggrieved by the proceedings in relation to any election of a commissioned officer in the militia, may appeal, if on the election of a field officer, to the commander in chief, and if on the election of a captain or subaltern, to the commanding officer of the brigade, in which such election has taken place: and the commander in chief and the commanding officer of the brigade, as aforesaid, are respectively authorized to hear and determine any such appeals: and if the proceedings in relation to any such election are, in the opinion of the officer hearing the appeal, illegal, he shall declare the election void, and another shall be had to fill the vacancy.

Appeal granted to persons aggrieved in election of commissioned officers.

Commander in chief and brig. general to determine app'ls.

Another election may be had.

Provided however, That notice of every such appeal, in the case of a captain or subaltern, shall be given to the person elected, and the commanding officer of the brigade, within five days after the election; and no commission shall, in any case,

Notice of appeal to be given.

No commander to issue to capt. or subaltern until five days after election.

In appeal on election, notice to be given.

Commission to field officer not to issue until 15 days, or until appeal be determined.

issue to any captain or subaltern, until five days after his election shall have elapsed; and in case of an appeal, as aforesaid, then not until such appeal shall have been determined: and in case of an election of any field officer and an appeal thereupon, notice shall be given to the person elected, and to the commanding officer of the brigade, as well as to the commander in chief, within fifteen days after the election, and no commission shall, in any case, issue to any field officer, until fifteen days after his election shall have elapsed; and in case of an appeal, as aforesaid, then not until such an appeal shall have been determined.

No. 4.

Passed Nov. 17, 1825.

An Act, repealing an act therein mentioned.

Act establishing state arsenal, repealed.

*See Slade's compiled laws, chap. 96, no. 14.

It is hereby enacted by the General Assembly of the state of Vermont, That an act, entitled "an act, providing for the building of a state arsenal," passed November eighteenth, eighteen hundred and twenty-four, be, and the same is hereby repealed.*

No. 5.

Passed Nov. 8, 1826.

An Act, repealing parts of acts therein mentioned.

Repeal of 30th sec. of militia act of 1818 and 2d sec. of act of 1820.

†See Slade's compiled laws, chap. 96, no. 1; also no. 4.

It is hereby enacted by the General Assembly of the state of Vermont, That the thirtieth section of an act, entitled "an act for regulating and governing the militia of this state," passed the tenth day of November, in the year of our Lord one thousand eight hundred and eighteen, and the second section of an act entitled "an act in addition to an act entitled 'an act regulating and governing the militia of this state,'" passed the fifteenth day of November, in the year of our Lord one thousand eight hundred and twenty, be, and the same are, hereby repealed.†

Saving clause.

Provided nevertheless, and it is hereby further enacted, That this act shall not be construed to affect any act done, or any right accrued, under the act hereby repealed.

No. 6.

An Act, in addition to an act entitled "an act regulating and governing the militia of this state." Passed Nov. 15, 1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from and after the passing of this act, the majors commandant and other officers of the several squadrons of cavalry in this state, and the non-commissioned officers of said squadrons, shall have the same powers and shall be subject to the same restrictions in the collection and remission of fines, as are given to the officers and non-commissioned officers of the several regiments of infantry by the act to which this is an addition.

Majors com. of squadrons may remit fines, &c.

SEC. 2. — That the majors commandant of the several squadrons of cavalry shall have the same powers, in issuing warrants to the non-commissioned officers of said squadron, as are given to the field officers of the several regiments of infantry by the act to which this is an addition.

May issue warrants to non-commissioned officers.

No. 7.

An Act, relating to this state's quota of United States' arms.

Passed Nov. 9, 1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the governor be, and he is, hereby requested, to direct this state's quota of United States' arms to be delivered at Vergennes as soon as may be, and the quarter master general, is, hereby, directed to take the charge of said arms, and cause the same, together with such as are now in his care, to be deposited in the United States' arsenal, at said Vergennes, for safe keeping, the consent of the superintendent of said arsenal having been obtained for that purpose.

Governor requested to direct U. S. arms to be delivered at Vergennes.

SEC. 2. — That it shall be the duty of the quarter master general to see that said arms are kept in good order, and fit for use, and to make report to the general assembly, annually, of the number and condition of the same.

Qr. master general's duty.

No. 8.

An Act, authorizing the governor to procure pieces of ordnance.

Passed Nov. 9, 1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the quarter master general, under

Qr. master gen.
to obtain ord-
nance.

the direction of the commander in chief, be, and he hereby is, directed to commute with the ordnance department of the United States, and obtain from that department twelve iron pieces of ordnance, without any apparatus; to be six pounders, and well proved, in lieu, in part, of this state's quota of arms, now due, or to become due from the United States.

Ordnance to be
delivered at
Vergennes.

SEC. 2. — That in case the pieces of ordnance, described in the first section of this act, can be so obtained, the same shall be delivered at Vergennes, and the quarter master general is hereby directed to take charge of, and cause the same to be safely kept, until they shall be distributed as herein after directed.

Distribution of
ordnance.

SEC. 3. — That the said pieces of ordnance, when received, shall be distributed by the quarter master general among the several brigades as follows: Each brigade, which shall not have heretofore been furnished with a field-piece, by this state, shall first be furnished with one, and if any remain, then one shall be furnished to the first company of artillery in the third regiment, in the third brigade and third division; one to the company of artillery attached to the second regiment, second brigade, and first division; one to the Jefferson artillery at Windsor, and one to the artillery company attached to the first regiment, second brigade and second division; and the remainder, if any, shall be kept subject to the future order of the legislature.

Qr. master gen.
to deliver ord-
nance and take
receipt.

SEC. 4. — That it shall be the duty of the quarter master general to deliver the several pieces of ordnance, so ordered to be distributed, as aforesaid, to the several commanding officers of companies for whose benefit said pieces shall be furnished, at the expense of this state, and on such delivery, to take a receipt in writing, for the same, of such commanding officer, and such commanding officer, so receipting, and his successors in said office, during his continuance in office, shall be held accountable to this state, for the safe keeping of such piece of ordnance.

Brig. generals
to make return
of ordnance to
quarter master
general.

SEC. 5. — That it shall be the duty of the commanding officers of the several brigades of militia in this state, on or before the tenth day of June next, to furnish the quarter master general with a return of the ordnance, in their respective brigades, showing their condition and calibre, designating such as have been furnished at the expense of this state: and it shall be the duty of the quarter master general, as soon as may be, after the passing of this act, to give notice to the commanding officers of the several brigades of militia of the duties required by this section.

No. 9.

An Act, in addition to an act for regulating and governing the militia of this state. Passed Nov. 13, 1827.

It is hereby enacted by the General Assembly of the state of Vermont, That any person, conscientiously scrupulous of bearing arms, and certifying the same and causing a record to be made in the manner provided by the second section of the act to which this is an addition, shall, thereafter, be exempt from military duty, so long as he shall, on or before the first day of May, annually, pay the sum of three dollars to the treasurer of the town to which such person belongs, to be applied to the support of schools in such town, any thing in the act to which this is an addition to the contrary notwithstanding.

Persons scrupulous of bearing arms, exempt by payment annually of \$3 for use of schools.

No. 10.

An Act, in addition to an act, entitled "an act for regulating and governing the militia of this state." Passed Oct. 29, 1829.

It is hereby enacted by the General Assembly of the state of Vermont, That the major general of each division, and the brigadier general of each brigade of the militia of this state, be, and they hereby are, authorized and empowered to arrange and form the several rifle companies, in any brigade within his division, into a regiment of riflemen, to be attached to such brigade.

Provision for forming regiments of riflemen.

No. 11.

An Act, in addition to, and in alteration of the several acts, regulating and governing the militia of this state. Passed Nov. 8, 1832.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That every captain, or commanding officer of a company, shall call his company together on the first Tuesday in June, annually, at nine o'clock in the forenoon, for the purpose of taking an exact account of every man's arms and equipments, and also, for company discipline and drill; at which time every article now required by law, shall be brought to the place of examination, and at which time it shall be the duty of the orderly sergeant, or in his absence, of some other person, to be appointed on the occasion, for the time only, by the commanding officer, for that purpose, to make out an exact roll of the arms and equipments, which shall belong

Companies to be called together on 1st Tues. of June.

Roll. to each man, and every commanding officer of a company, shall keep constantly by him, a roll, with the arms and equipments of every man, annexed to his name as aforesaid, from which all detachments, and the annual return shall be made, and the said roll shall be revised, corrected and completed on the first Tuesday in June, annually.

Staff officers to be taken from line. SEC. 2. — That the commissioned staff officers of the militia, excepting the adjutant and inspector general, and the quarter master general, shall hereafter be taken from the line of commissioned officers; and no officer receiving a staff appointment, shall thereby lose his rank in the line.

Second lieutenant instead of ensigns. SEC. 3. — That, instead of an ensign in the several companies of infantry and riflemen, there shall be a second lieutenant; and instead of an ensign of artillery, there shall be a third lieutenant, and instead of a cornet of cavalry, there shall be a third lieutenant.

Polls of militia exempt from taxes. SEC. 4. — That the polls of the militia returned equip, and who shall perform the duty required by law, shall be exempt from the payment of all taxes, except district school taxes, and except also all taxes for making and repairing highways and bridges, whether payable in labor or money, and for the payment of damages assessed to individuals through whose lands any road may be laid, from which taxes they shall not be exempt; and ten dollars shall be deducted by the listers, from the list of any parent, master or guardian, who shall equip any minors, liable to do military duty, under his care, so far only as to exempt such parent, master or guardian, from the payment of the same taxes which the polls of the other militia are, by this act, exempt.

***See Slade's compiled laws, chap. 96, no. 1 and 7; see also list of laws repealed, at the end of this volume.** SEC. 5. — *That the nineteenth and twenty-third sections of the act, entitled "an act for regulating and governing the militia of this state," passed November tenth, eighteen hundred and eighteen—the sixth and seventh sections of an act, entitled "an act in addition to, and amendment of an act, entitled 'an act regulating and governing the militia of this state,'" passed October thirty-first, eighteen hundred and twenty-three—the

Former acts repealed. act, entitled "an act in alteration of the several acts regulating and governing the militia of this state," passed October twenty-eighth, eighteen hundred and twenty-nine—and an act, entitled "an act, in addition to, and explanatory of the several acts regulating and governing the militia of this state," passed November ninth, eighteen hundred and thirty-one, and all acts and parts of acts inconsistent with the provisions of this act, be, and the same hereby are, repealed: *Provided always*, that the militia of this state shall not hereafter be mustered by brigades, nor shall regiments or battalions, be mustered oftener than once in every second year.

Proviso.

No. 12.

An Act, in addition to an act, entitled "an act for regulating and governing the militia of this state." Passed Nov. 6, 1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That every captain or commanding officer of company shall, annually, on the first Tuesday in June, call his company together, for the purpose of examining and taking an exact account of every man's arms and equipments, and also for drill and discipline;—at which time every article required by the act to which this is in addition, shall be brought to the place of parade;—when it shall be the duty of the orderly sergeant, or, in his absence, of some other person to be designated by the commanding officer for that purpose, to make out an exact roll of the arms and equipments which shall belong to each man: and every commandant of company shall keep constantly by him a roll, with the arms and equipments of every man annexed to his name as aforesaid, from which all detachments, and the annual company return, shall be regularly made, and the said roll shall be revised, corrected and completed on the first Tuesday in June annually, as aforesaid.

Commanding officer to call company together on first Tuesday in June.

Roll of arms, &c. to be made out.

SEC. 2. — That the commissioned, non-commissioned officers, and musicians of each regiment shall rendezvous within their respective limits two days successively, between the first and fifteenth days of September annually, for the purpose of training and improvement in military discipline, the days and place of rendezvous to be designated in orders by the commandant of brigade, and on such days of rendezvous it shall be the duty of the brigade major and inspector to superintend the exercise and maneuvers, and to introduce the system of discipline established by law, and he shall take the command as drill officer so far as shall be necessary to the execution of those duties:—and the officers and musicians aforesaid may be required by the commandant of regiment to appear at any such rendezvous, with such arms and accoutrements as he may direct;—and he may require them to perform every duty belonging to commissioned and non-commissioned officers, and to privates;—and each brigade major and inspector shall receive for each day's attendance as a drill officer as aforesaid two dollars, and the auditor of accounts is required to allow such accounts, and draw orders on the state's treasurer therefor.

Officers and musicians to rendezvous two days each year for improvement in discipline.

Brigade major and inspector to superintend exercises.

And receive \$2 per day.

SEC. 3. — That every commandant of company shall annually call his company together for the purpose of military exercise and instruction, after the officer drill provided for in the second section of this act, and before the twentieth day of September, and at such time and place as such commanding officer may direct.

Commanding officer to call out company each year after officer drill.

SEC. 4. — That the militia of this state shall be assem-

Regimental review once in two years.

bled once-in two years, between the twentieth day of September and the fifteenth day of October, for review, inspection and discipline, by regiment or separate battalion, as the commandant of brigade shall direct ; and the several commandants of regiments shall appoint the place of parade, within the limits of their respective regiments :—and it shall be the duty of each commandant of brigade to attend, with the officers of the brigade staff, armed and equipped as the law directs, the annual inspection and review of the several regiments and separate battallions in his brigade.

Men to meet at 9 o'clock forenoon.

SEC. 5. — That for all company trainings, officer drills, regimental or battalion review, heretofore provided for in this act, the men shall be warned to meet at nine o'clock in the forenoon, and they shall be kept through the day (necessary respites only excepted) in military exercise.

Dress of non-commissioned officers and privates.

SEC. 6. — That the dress of all non-commissioned officers and privates, in the standing companies of the militia of this state, shall be that of a citizen's dress : and any non-commissioned officer or private who shall appear at any company training, battalion or regimental inspection or review, in a dress which shall excite or create any tumult or riot, or shall be guilty of any unmilitary or disorderly conduct, shall be put under guard, and may be so kept at the discretion of the commanding officer of the company, battalion or regiment, until the company to which such disorderly person belongs be dismissed : and such person shall also be liable to a fine for such unmilitary or disorderly conduct of not less than two nor more than five dollars, according to the degree and aggravation of the offence ; said fine to be assessed, collected and appropriated in the same manner as is provided in the act to which this is in addition, for the assessment, collection and appropriation of fines imposed for non-appearance on parade.

Penalty for appearing in dress which shall excite tumult, and for unmilitary conduct.

Volunteer companies may be called out at other times.

SEC. 7. — That the commandant of any volunteer company in this state may, in his discretion, call his company together, for military discipline and instruction, in addition to the times herein provided, not exceeding two days in each year.

Polls exempted from taxes.

SEC. 8. — That the polls of persons subject by law to military duty, who shall be returned equipped, agreeably to the laws regulating and governing the militia of this state, shall be exempted from the payment of all taxes whatever, except district highway taxes :—whenever any minor in this state who is subject by law to military duty, and belonging to any company of cavalry, or foot company, or to any band of music, duly formed according to law, shall be equipped for such company according to law at the expense of, and by, the parents, masters or guardians, having the care of such minor, and shall be duly returned equipped by the officer whose duty it is, by law, to make such return, it shall be the duty of the listers to deduct, for each minor so returned equipped, from the list of such person, so equipping such minor the sum of ten dollars,

Deductions from list of pa-

for every purpose except district highway taxes. And if such minor shall belong to the cavalry, and be furnished by the person or persons having the care of such minor with a suitable horse for such company, in such case the listers shall deduct from the list of the parent, master or guardian of such minor the additional sum of three dollars, for all purposes except district highway taxes as aforesaid. And from the list of any person subject by law to do military duty in any company of cavalry in this state, who shall own a suitable horse for the cavalry, and be returned equipped as the law directs, the listers shall deduct the sum of three dollars for such horse, for all purposes except district highway taxes. And the polls of all persons subject by law to do military duty, and enrolled in the militia of this state, shall be exempted from the payment of state taxes.

rents, &c. furnishing equipments, &c.

Exemption from state taxes.

Provided always, That if it shall appear to the listers in any town in this state, on due examination thereof, that there has been an improper or false return by the commanding officer of any company or band of music, then said listers are hereby empowered, on satisfactory proof being exhibited to them, to correct said error.

Proviso.

Listers may correct errors in returns.

SEC. 9. — That all acts, and parts of acts, inconsistent with the provisions of this act, be, and the same are, hereby repealed.

Former acts repealed.

CHAPTER LV.

OF THE SURVEYOR GENERAL.

An Act, appropriating a sum of money for the purchase of surveyor's instruments.

Slade's comp. laws, chap. 97.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That the surveyor general be, and he hereby is, authorized and directed to purchase, for the benefit of the state, a levelling instrument, a surveyor's compass, and a set of projecting instruments, to be deposited in his office, for his official use.

Passed Nov. 1, 1826.

Surveyor general to purchase instruments.

SEC. 2. — That the treasurer of this state be, and he hereby is, directed to pay to the surveyor general, out of any moneys in the treasury, not otherwise appropriated, a sum not exceeding two hundred dollars, for the purpose contemplated in the first section of this act, the said surveyor general first giving a bond to said treasurer, with sufficient surety, conditioned that he deliver said instruments, at the expiration of his office, to his successor, in good and complete repair.

Appropriation.

Bond to be given.

SEC. 3. — That each succeeding surveyor general, upon his entering upon his official duties and receiving said instru-

Bond required

of succeeding
surveyor gen'l.

ments, shall, with sufficient surety, give a like bond to the treasurer of this state, conditioned as in the second section of this act.

CHAPTER LVI.

OF GENERAL LAND TAXES.

No. 1.

Slade's comp.
laws, chap. 99.

An Act, in addition to the several acts, relating to taxes for making roads and building bridges.

Passed Nov. 12,
1825.

Committees to
leave with cl'k.
of court a copy
of account.

Com'te. to give
notice of the
time of present-
ing account for
allowance.

It is hereby enacted by the General Assembly of the state of Vermont, That all committees, appointed to superintend the expenditure of land taxes, shall leave a certified copy of their accounts, with all its items in detail, with the clerk of the court to which their accounts shall be presented for allowance, on or before the first day of the term of said court, which accounts shall remain on file in said clerk's office; and such committee shall give notice of their intention of presenting their accounts, by posting up written notices, at the usual places of posting up notices for town meetings, in all organized towns, on which such taxes shall be granted, at least twelve days before the sitting of the court, at which they intend presenting their accounts for allowance.

No. 2.

Passed Nov. 8,
1832.

An Act to repeal so much of an act as therein mentioned, passed Nov. 2, 1796.

Former act re-
pealed.

*See Slade's
compiled laws,
chap. 99, no. 1,
sec. 3.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the third section of an act as empowers land tax committees, where a tax has been raised for the purpose of making and repairing roads and building bridges, to lay out roads in the month of May next, after granting said tax, passed November the second, one thousand seven hundred and ninety-six, be, and the same is, hereby, repealed.*

CHAPTER LVII.

OF THE PRINTING AND DISTRIBUTION OF THE
LAWS AND PUBLIC PAPERS.

No. 1.

An Act, in addition to, and alteration of an act, entitled "an act for the distribution of laws, journals, and other public papers."

Slade's comp.
laws, chap. 101.

It is hereby enacted by the General Assembly of the state of Vermont, That the sheriff of the county of Orleans shall hereafter be entitled to receive from the treasury of this state, for each separate distribution of the laws, journals, or other public papers, which it is, by law, made his duty to distribute, six dollars, instead of the compensation heretofore allowed by law.

Passed Nov. 8,
1825.

Sheriff of Orleans county,
allowed \$6 for each distribution of the laws, &c.

No. 2.

An Act, to provide for publishing the public acts.

Passed Nov. 14,
1826.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the secretary of state be, and hereby is, directed to cause the public acts, passed at each session of the legislature, except such as are local, to be published in each newspaper, printed in this state.

Publication of
acts in newspapers.

Provided, That no printer or publisher shall be allowed a greater sum than fifteen dollars for publishing the laws of any one session as aforesaid.

Compensation.

SEC. 2. — That the auditor of accounts against the state, on having satisfactory evidence that all the public acts of any one session of the legislature have been published, as aforesaid, shall audit and allow each printer, so publishing said acts, fifteen dollars, to be paid out of any moneys in the treasury, not otherwise appropriated.

Duty of auditor.

No. 3.

An Act, in addition to an act providing for the state printing.

Passed Nov. 10,
1827.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That from the first day of June to the first day of August, in each year, the secretary of state shall

Secretary of
state and clerk

of general assembly to receive proposals for printing laws and journals from June 1, to Aug. 1.

receive proposals for printing the laws, and the clerk of the general assembly shall receive proposals for printing the journals of the year ensuing ; which proposals shall be accompanied with a fair sample of the type and paper on which the work shall be executed ; and such proposals being received, it shall be the duty of the said secretary and clerk to contract with the person or persons, who shall propose to do the work in the best style and at the lowest rate, and to complete the publication in the shortest time after receiving the copy ; and it shall be the duty of the secretary and clerk to require bonds, with sufficient sureties for the faithful performance of such contracts, the names of which sureties shall accompany such proposals.

Part of act of 1821 repealed.
*See Slade's compiled laws, chap. 101, no. 10, sec. 3.

SEC. 2. — That the third section of an act, providing for the state printing, passed November sixteen, eighteen hundred and twenty-one, be, and the same is, hereby repealed.*

No. 4.

In General Assembly, Oct. 11, 1828.

Copies of journals to be deposited in state library.

Resolved, the governor and council concurring herein, That thirty additional copies of the journal of the general assembly be, annually, deposited in the library for the use of the legislature.

[Concurred Oct. 13, 1828.]

No. 5.

In General Assembly, Oct. 11, 1828.

Blanks for grand list to be distributed to members of legislature.

Resolved, the governor and council concurring herein, That the clerk of the general assembly is hereby directed to cause to be printed and distributed to the members thereof, during the present session, and annually thereafter, the blanks, which are required to be printed and distributed by an act passed on the eleventh day of November, in the year of our Lord one thousand eight hundred and twenty-seven, entitled "an act in addition to an act ascertaining the principles on which the list of this state shall be made and directing listers in their office and duty."†

†See chap. 27, no. 3.

[Concurred Oct. 13, 1828.]

No. 6.

In Council, Nov. 10, 1830.

Resolved, the general assembly concurring herein, That the adjutant and inspector general, be directed to distribute, to each of the general and field officers, and brigade inspectors of the militia of this state, one copy of "Abstracts of infantry tactics,"—and to each captain or commanding officer of artillery, one copy of "Abstracts of artillery tactics,"—and to each captain or commanding officer of infantry or riflemen, one copy of "Abstracts of infantry tactics,"—to be and remain in the hands of said officers, and to be, by them, transmitted to their successors, for the use and benefit of the militia of this state.

[Concurred Nov. 10, 1830.]

Certain military works to be distributed to militia officers.

No. 7.

An Act, in addition to an act, entitled "an act for the distribution of laws, journals, and other public papers," passed March 7, 1797.

Passed Nov. 9,
1832.

It is hereby enacted by the General Assembly of the state of Vermont, That each first constable, in the several towns of this state, shall be entitled to receive one copy of the laws, passed at each session of the legislature, in the same manner, as is now provided in the act, to which this is an addition, for distributing to other officers, in this state.

First constables entitled to a copy of laws of this state.

No. 8.

An Act, relating to the reports of the supreme court.

Passed Nov. 6,
1834.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That hereafter the reports of the supreme court shall be annually distributed among the several towns, in this state, in the same manner that the laws and other public documents are distributed.

Reports hereafter published to be distributed among the several towns.

SEC. 2. — That the secretary of state shall cause all the reports, which now belong to the state, to be distributed among the several towns as aforesaid, excepting such as he shall retain for the use of the state,—causing one copy of each volume to be delivered to each organized town in the state, and the remainder to be apportioned, as near as may be, in proportion to the general list of the several towns.

Reports now belonging to state to be distributed, &c.

Receiver to file
copy of order
with treasurer.

Treasurer to
pay over to re-
ceiver such part
of fund as is
necessary, who
shall pay as di-
rected by chan-
cellor.

Proceedings
when bank fund
proves insuffi-
cient.

Moneys paid
out of treasury
to be a charge
on bank fund.

When charters
expire every
corporation en-
titled to receive
its proportional
share.

No creditor to
receive interest
upon his debt,
&c. in certain
cases.

*See no. 2.

Three bank
commissioners
to be appoint'd.

Duty of com-
missioners.

SEC. 10. — That upon such receiver filing with the treasurer of this state, a copy of such order, duly certified and signed by a chancellor, it shall be the duty of the said treasurer, to pay over to the said receiver, such sum, not exceeding the amount of the bank fund, as may have been declared by the said chancellor, to be necessary to satisfy the debts of said corporation, and the moneys paid to such receiver, shall be paid out by him, under the direction of the chancellor, to the several creditors of the corporation.

SEC. 11. — That if at the time of filing with the treasurer, the copy of such order, the bank fund shall be insufficient to satisfy all the debts of the insolvent corporation, a sum sufficient to satisfy the residue of such debts, as shall remain unpaid, shall be paid to such receiver, in the manner provided in the last preceding section, out of the first moneys that shall thereafter be paid to the treasurer, pursuant to the eighth section of this act, and the moneys so paid to such receiver, shall be paid out by him in the manner required in the last preceding section.

SEC. 12. — That the moneys paid out of the treasury, and all other moneys required by this act to be paid out of the treasury, shall be a charge upon the bank fund, hereby created.

SEC. 13. — That whenever the charter of any monied corporation, subject to the provision of this act, shall expire, every such corporation shall be entitled to receive its proportional share of said bank fund, which said corporation may have contributed thereto, after deducting thereout, a proportional part of the charges upon the said fund, and which share the treasurer is hereby authorized to pay to said corporation.

SEC. 14. — That no creditor of any insolvent corporation, shall by virtue of this act, receive interest upon his debt against such corporation, from and after the time such order is made, as is required by the ninth section of this act; nor shall such creditor be entitled to interest, anterior to the presentation of his demand against such corporation, to the receiver that shall be appointed to take charge of the property and effects of such corporations.

SEC. 15. — *That three persons, to be styled the "Bank Commissioners of the state of Vermont," shall be appointed in the manner hereinafter provided, whose duty, or the duty of one of whom it shall be, at least once in twelve months, to visit every monied corporation, upon which the provisions of this act shall be binding, and thoroughly to inspect the affairs of said corporations, to examine all the books, papers, notes, bonds, and evidences of debt of said corporations, to compare the funds and property of said corporations, with the statements to be made by them, as hereinafter provided, to ascertain the quantity of specie the said corporations have on hand, and, generally, to make such other inquiries as may be necessary to ascertain the actual condition of the said corporations, and their ability to fulfil all the engagements made by them.

SEC. 16. — That it shall be the duty of the said commissioners, or some one of them, to visit and inspect the condition and affairs of any monied corporation, more frequently than once in twelve months, if required so to do, by any one of the monied corporations, subject to the provisions of this act.

Further duty of said commissioners.

SEC. 17. — That the said commissioners, or either of them, shall have power to examine upon oath, all the officers, servants, or agents of said corporations, or any other person, in relation to the affairs and condition of said corporations, which oath the said commissioners, or either of them, are personally authorized to administer.

Commissioners are empowered to examine officers of such corporations upon oath.

SEC. 18. — That if the said commissioners shall ascertain, from such inspection and examination, or in any other manner, that any of said corporations are insolvent, or shall have violated any of the provisions of this act, or acts of incorporation, or of any other acts, binding on such corporations, the said commissioners shall, immediately apply to a chancellor, upon bill or petition, for an injunction against such corporation, and its officers, and said chancellor shall, thereupon, issue a notice to the cashier, or to the cashier and president, of said corporations, to appear, at a time and place therein named, and show cause why an injunction should not issue against such corporation, and its officers: and if no sufficient cause be shown to the contrary, he shall, thereupon, issue such injunction against such corporation and its officers.

If said commissioners find said corporation insolvent they shall apply to a chancellor for an injunction, &c.

Chancellor shall issue notice to cashier to appear and show cause, &c.

SEC. 19. — That upon the issuing of such injunction, and in any stage of the proceedings thereupon, the chancellor may appoint one or more receivers to take charge of the property and effects of such corporation—and to collect, sue for, and recover the debts and demands that may be due, and the property that may belong to such corporation, who shall, in all respects, be subject to the control of the chancellor; and such receivers shall give bonds to the treasurer of this state, in a sum to be fixed by the chancellor, granting the injunction, with one or more sufficient sureties, for the faithful discharge of the duties, of his or their appointment, and for the due accounting for all moneys received by them. And such receiver, or receivers, shall have full power and authority, and it is hereby made their duty, to sell and convert into cash, the personal and real estate of such corporations, and execute good and sufficient titles to the purchasers thereof, and shall apply the cash, so received, as well as the money which shall be collected, or in possession of such corporation, exclusively to the redemption of the bills and notes, of such corporation, and shall, as soon as may be, render an account to such chancellor, of the condition and affairs of such corporation, and of his proceedings in the business of his appointment; and in case the money so received, shall be insufficient for the redemption of the bills and notes of such corporation, it shall be the duty of the receiver or receivers, to pay over, in further redemption thereof, such sum

Chancellor may appoint a receiver, &c.

Receiver to give bonds.

Duties and powers of receiver.

Receiver to render an account to chancellor.

or sums, as he or they shall receive from the bank fund before named.

Commissioners
to report to
legislature.

SEC. 20. — That it shall be the duty of said commissioners, in the month of October in each year, hereafter to report to the legislature, the manner in which they have discharged their duties, and to accompany such report, by such abstracts from the reports made to them, and by such other statements as they may deem useful.

Commissioners
how appointed.

SEC. 21. — That one of said commissioners shall be elected by the joint ballot of both houses of the legislature, annually, and the other two shall be elected by the respective corporations, subject to the operation of this act, in manner following: each of said corporations shall choose one delegate; and the delegates so chosen, shall meet at the court house in Montpelier, on the third Thursday of October, in each year, and at the hour of four in the afternoon, shall proceed to vote for said commissioners, by ballot, each delegate being entitled to one vote, for every five thousand dollars actually paid in of the capital stock of the corporation he represents, which shall be ascertained by the affidavit of the president and cashier, and the person receiving a majority of all the votes so given, shall be deemed duly appointed, and the commissioners so chosen, shall be under oath, for the faithful discharge of their duty, and shall be entitled to four dollars per day, including all expenses, to be paid out of the bank fund, before mentioned.

To be under
oath.

Fees of said
commissioners.

In case such
corporation ex-
ceed the pow-
ers given them,
or neglect or
refuse to com-
ply with the re-
quisitions of
this statute,
they shall be
injoined, &c.

SEC. 22. — That if any such monied corporation shall issue, or have outstanding, or in circulation, at any time, an amount of notes or bills, loaned or put in circulation, as money, exceeding three times its capital stock, then paid in, and actually possessed, or shall neglect to make any annual payment to the treasurer of this state, required by this act, for the space of three months after the time when the same ought to have been made, or shall have lost one half of its capital stock paid in, or shall have suspended the payment of its bills in specie, for sixty days, or shall refuse to allow the officers of such corporation to be examined upon oath, by the said commissioners, in relation to the affairs and condition of such corporation, every such corporation may be proceeded against, by the said commissioners and enjoined, by a chancellor as an insolvent corporation as herein before provided.

Officers of such
corporations,
who shall make
false entries,
&c. guilty of
felony.

How punished.

SEC. 23. — That every officer, agent or clerk, of a monied corporation, who shall make any false statements or false entries in the books of such corporation, or shall exhibit false papers, with the intent to deceive said commissioners, as to the condition of said corporation, shall be deemed guilty of felony, and shall be subjected to imprisonment in the state prison, for a term not less than two years, nor more than ten.

No stockholder
to be appointed
a commis'r.

SEC. 24. — That no stockholder of any bank, shall be appointed a commissioner by virtue of this act, nor shall it be lawful for any commissioner, directly, or indirectly, to purchase,

or in any manner to be concerned in any bank stock, in this state.

SEC. 25. — That every corporation subject to the operation of this act, created at the present session of the legislature, or hereafter to be created, shall, before it makes any loans or discounts, have at least fifty per cent. of its capital stock actually paid in, which payment shall be proved on oath, to the satisfaction of the bank commissioners, before any such loans or discounts shall be made; and every monied corporation whose charter shall be hereafter extended, shall, within one year after such extension takes effect, pay in all its capital, to be proved in like manner, to said bank commissioners, but every such monied corporation, whose charter shall be so, hereafter extended, shall be permitted to reduce its capital stock, to any sum not below the amount actually paid in, at the time of the renewal of its charter. But such corporation shall, within one year, from and after the time of such renewal, file with the treasurer, a certificate, under the seal of the corporation, setting forth the sum to which its capital stock is to be reduced as aforesaid; the filing of which certificate, shall exempt such corporation from the operation of this section, and to so much of its capital stock, as shall be reduced in the manner above stated.

Banking corporations hereafter created to pay in 50 per cent. of capital stock.

Monied corporations whose charters shall be hereafter extended, shall pay in all their capital, within one year.

But said corporations may reduce their capital stock.

SEC. 26. — That if any banking company, hereafter incorporated, chartered or re-chartered, shall by their act of incorporation, make the private property of the stockholders, holden to redeem the bills by them issued, it shall not be required to comply with the conditions of this act.

Banking corporations hereafter incorporated, not subject to the provisions of this act, if private property of stockholders shall be holden, &c.

No. 2.

An Act, in addition to an act, in relation to the chartering of banks.

Passed Nov. 9, 1831.

It is hereby enacted by the General Assembly of the state of Vermont, That the first election of bank commissioners, to be made on the part of the banks by the act to which this is in addition, shall be made on the third Wednesday of March, one thousand eight hundred and thirty-two.*

Bank commissioners when to be elected.

*See no. 1, sec. 15.

CHAPTER LIX.

OF TAXING BANK STOCK.

No. 1.

Passed Nov. 9,
1831.

An Act, regulating the taxation of bank stock.

Cashier of
banks directed
to transmit to
town clerks the
amount of bank
stock owned in
their respective
towns.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That it shall be the duty of the cashiers of the several banks; in this state, to transmit in the month of April, in each year, hereafter, to the town clerks of the several towns in this state, in which any of the stockholders in their respective banks shall reside, a true statement of the amount of stock, and by whom owned, in such towns, as the same shall appear to be owned, by inspection of the books of said banks, on the first day of April in each year.

Penalty for neglect or refusal.

SEC. 2. — That if the cashier of any of the banks in this state, shall neglect, or refuse, for more than thirty days, from and after the first day of May, in each year, to make out and transmit a true and correct statement, as aforesaid, to the several town clerks, of the respective towns, in which stock in said banks may be owned, each and every such cashier, shall forfeit and pay, to any person residing in the town or towns, to which such statement is not transmitted, a penalty of ten dollars, and a like penalty for every additional thirty days of neglect, to be recovered by action of debt, with full costs, before any court proper to try the same.

To whom forfeited.

How recover'd.

No. 2.

Passed Nov. 6,
1834.

An Act, to tax bank stock not owned by residents in this state:

Bank stock of
non-residents
taxed to corporation in the
town where
bank is located.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That all bank stock, in any bank in this state, not owned by residents therein, shall be taxed to the corporation in the town where such bank is located, in the same way and manner as other rateable estate, belonging to said corporation is, by law, taxed. And it shall be the duty of the cashier, or other principal officer of said corporation, on application of the listers of the town where said banks are located, within four days from the time of such application, to give a just and true account in writing of all the shares, and their amount in value, which shall be owned in said banks by individuals, not residing in this state, on the first day of April.

Cashier or principal officer to
give statement
of shares to listers.

SEC. 2. — That if any cashier, or other principal officer, of any bank, to whom any listers may make application as

aforesaid, for the purpose aforesaid, shall neglect, or refuse, to furnish such listers with an account of all the shares, or the stock of such bank, not owned by residents in this state, said cashier, or principal officer, shall pay for such neglect, or refusal, a sum not less than one hundred dollars, nor more than five hundred dollars, to be recovered by an action of debt in the name, and for the use of the county in which such bank is located.

Penalty for neglect of cashier or principal officer to give statement.

How recover'd.

SEC. 3. — That the rateable estate of said banking corporation shall be held subject, and be liable for all taxes assessed, as aforesaid, in the same way and manner as the estate of individuals is, or may be, by law, liable; and said corporation shall have a lien on all bank shares taxed as aforesaid, for the full amount of assessments, and said shares shall not be transferable until all taxes are paid which have been assessed as aforesaid.

Estate of corporation liable, &c.

Lien of corporation on shares

CHAPTER LX.

ALTERATIONS IN TOWN LINES.

No. 1.

An Act, annexing part of Kelley's Grant, Number Two, to the town of Kelleyvale. Passed Nov. 17, 1825.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of that tract of land, called Kelley's grant, number two, as adjoins the town of Kelleyvale, in the county of Orleans, and chartered on the sixth day of June, in the year of our Lord one thousand seven hundred and ninety-one, be, and the same is, hereby, for every purpose, annexed to the said town of Kelleyvale.*

Kelley's grant, adjoining Kelleyvale, annexed to Kelleyvale.

*Name altered, see chap. 61, no. 5.

No. 2.

An Act, annexing part of the town of Pittsfield to the town of Sherburne.

Passed Nov. 3, 1827.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the town of Pittsfield, as was set off from the town of Sherburne, to the town of Pittsfield, by an act, passed on the twenty-second day of October, in the year of our Lord one thousand eight hundred and twenty-two, be, and the same is, hereby, annexed to the said town of Sherburne, and shall be and remain a part of the said town of Sherburne.

Part of Pittsfield annexed to Sherburne.

burne, in the same manner, as if the act aforesaid had not been passed ; and the inhabitants who do, or shall hereafter, inhabit said tract of land, hereby annexed to said Sherburne, shall exercise and enjoy all the constitutional and legal rights, which the other inhabitants of said Sherburne exercise and enjoy.

No. 3.

Passed Oct. 30,
1828.

An Act, annexing a part of the town of Sterling to the town of Cambridge.

Annexation of
part of Sterling
to Cambridge.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the town of Sterling, in the county of Franklin, as is contained within the following described lines, to wit:—Beginning at the south westerly corner of said town of Sterling, thence running easterly on the south line of said town, two miles—thence northerly on a line parallel with the westerly line of said Sterling to the northerly line of said town,—thence westerly on said northerly line to the northwesterly corner of said town,—thence southerly on the westerly line of said town to the place of the beginning, be, and the same is, hereby annexed to the town of Cambridge in said Franklin county, and shall, to all intents and purposes, form a part of said town of Cambridge.

No. 4.

Passed Nov. 3,
1831.

An Act, establishing the line between the town of Belvidere and the town of Eden.

Divisional line
established.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the divisional line, between the town of Belvidere, in the county of Franklin, and the town of Eden, in the county of Orleans, be, and hereby is, established on the westerly line of the seventh range or tier of lots, agreeably to the allotments of said town of Belvidere, reckoning from the easterly line of said Belvidere, according to its original chartered limits ; and that all that part of said town of Belvidere, lying easterly of said line, be, and hereby is, annexed to said town of Eden.

Privileges of in-
habitants, &c.

SEC. 2. — That the inhabitants who now do, or may, hereafter, reside on said land, set off, as aforesaid, shall be entitled to all the privileges and immunities, which the other inhabitants of the said town of Eden, do, or ought, by the constitution and laws of the state, to exercise and enjoy.

Act of 1828, re-
pealed.

SEC. 3. — That an act, entitled “an act annexing a part of the town of Belvidere to the town of Eden,” passed October

the thirtieth, one thousand eight hundred and twenty-eight, be, and the same is, hereby repealed.*

*See list of laws repealed at end of this volume.

No. 5.

An Act, to alter the line between the towns of Swanton and Fairfield.

Passed Oct. 29,
1829.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the passing of this act the division lines between the towns of Swanton and Fairfield, shall be as follows: Beginning at the south-east corner of lot number two hundred and twenty-five, in said town of Swanton, thence running northerly, on the east line of said lot, and lot number two hundred and twenty-four, to the north line of said town of Swanton; thence westerly on the north line of said Swanton, to the west line of lot number sixty-eight in Fairfield, formerly called Smithfield; thence northerly on said west line of said lot number sixty-eight, and so onward northerly as the lot lines run to the town of Sheldon. And all that part of said town of Swanton, lying eastwardly of said line, shall, hereafter, be annexed to and belong to the town of Fairfield; and the inhabitants thereof shall hereafter enjoy all the rights and privileges and be subject to all the liabilities, which the inhabitants of said town of Fairfield enjoy and are subject to; and all that part of said town of Fairfield, lying westerly of the aforesaid line, shall hereafter be annexed to and belong to the town of Swanton; and the inhabitants thereof shall hereafter enjoy all the rights and privileges and be subject to all the liabilities, which the inhabitants of said town of Swanton enjoy and are subject to.

Division line
between Swan-
ton and Fair-
field.

Part of Swanton
annexed to
Fairfield.

Part of Fairfield
annexed to
Swanton.

No. 6.

An Act, annexing part of the town of Middlebury to the town of Ripton.

Passed Oct. 29,
1829.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the town of Middlebury, in the county of Addison, as lies within the bounds following, to wit: Beginning at the line between said Middlebury and Ripton, in said county, on the south line of Zebina Cushman's farm; thence west on the south line of said farm; eighteen rods, to the southwest corner of said farm; thence north on the west line of said farm to the northwest corner thereof; thence east on the north line of said farm to the line between said Middlebury and Ripton; thence to the first mentioned bounds, be,

Description of
part of Middle-
bury annexed to
Ripton.

and the same is, hereby annexed to, and in all respects made a part of said town of Ripton.

Assent of towns
required.

Provided, That this act shall not be in force until the towns of Middlebury and Ripton shall each, by vote, in town meeting, have given their assent to the same.

No. 7.

Passed Oct. 29,
1829.

An Act, annexing part of the town of Chittenden to the town of Sherburne.

Description of
part of the
town of Chit-
tenden annexed
to Sherburne.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the town Chittenden, in the county of Rutland, as is contained within the following described lines, to wit: Beginning at the north-westerly corner of the town of Sherburne, in said county of Rutland; thence running north sixty-two degrees west, three hundred and fifteen rods; thence south twenty-eight degrees west, five hundred and seventy-five rods, to the line of the town of Mendon; thence north seventy-one degrees east, on said Mendon north line, four hundred rods to the west line of said town of Sherburne; thence north twenty eight degrees east, on said Sherburne west line, three hundred and eight rods, to the place of beginning, be, and the same is, hereby annexed to said town of Sherburne, and shall, to all intents and purposes, form a part of said town of Sherburne.

Assent of towns
required.

Provided, That this act shall not be in force, until the towns of Chittenden and Sherburne shall each, by vote in town meeting, have given their assent to the same.

No. 8.

Passed Oct. 29,
1829.

An Act, annexing a part of the town of Brookfield to the town of Chelsea.

Description of
part of Brook-
field annexed to
Chelsea.

It is hereby enacted by the General Assembly of the state of Vermont, That lot number one and gore, lot number two and gore, lots number one, two, three, four and five, situated and being in the south-east corner of the town of Brookfield, be, and the same are, hereby annexed to the town of Chelsea, and the inhabitants who now do, or who may hereafter inhabit said tract of land, hereby annexed to said Chelsea, shall exercise and enjoy all the constitutional and legal rights, and be subject to the same liabilities, which the other inhabitants of said Chelsea exercise and enjoy, or are liable to.

Provided, That this act shall not be in force, until the towns

of Brookfield and Chelsea shall, by vote, in town meeting, have declared their assent to the same. Assent of towns required.

No. 9.

An Act, annexing part of the town of Salisbury to the town of Ripton.

Passed Nov. 1,
1832.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the town of Salisbury, in the county of Addison, as lies within the bounds following, to wit: beginning at the southwest corner of the town of Ripton; thence west ten degrees north, one hundred and sixty rods; thence north ten degrees east, to the north line of said town of Salisbury; thence east on the north line of Salisbury, to the northeast corner of said Salisbury; thence on the east line of said Salisbury to the first mentioned bounds, be, and the same is hereby, annexed to the town of Ripton, in said county of Addison, and shall, to all intents and purposes, form a part of said town of Ripton. Part of Salisbury annexed to Ripton.

Provided, This act shall not be so construed as to entitle said town of Ripton to any part of the rents or profits arising from a public lot included in the above description, but the same is reserved to the town of Salisbury. Proviso.

No. 10.

An Act, to annex a part of Avery's Gore to the town of Kingston.

Passed Nov. 6,
1833.

It is hereby enacted by the General Assembly of the state of Vermont, That that part of Avery's Gore, in the county of Addison, bounded as follows, to wit: beginning at a hemlock tree, at the north-east corner of Kingston, thence southerly, on the west line of said Kingston, until it intersects the east line of Ripton; thence northerly, on the east line of said Ripton, to the north-east corner thereof; thence north, to Warren, south line; thence eastwardly, on said line, to the place of beginning, be, hereby annexed to the town of Kingston, aforesaid, and henceforth, constitute a part of said Kingston.* Part of Avery's Gore annexed to Kingston.

*Name altered, see chap. 61, no. 7.

No. 11.

Passed Oct. 28, 1834. An Act, annexing a part of the town of Hancock to the town of Rochester.

Part of Hancock annexed to Rochester.

It is hereby enacted by the General Assembly of the state of Vermont, That lots number one hundred and seven, and one hundred and thirty-one, lying on the Emerson branch of White river in the south-east corner of the town of Hancock, in the county of Addison, be, and are, hereby annexed to the town of Rochester, in the county of Windsor, and the inhabitants who do, or may hereafter, inhabit said lots of land, hereby annexed to said Rochester, shall exercise and enjoy all the constitutional and legal rights, and be subject to the same liabilities, which the other inhabitants of said Rochester exercise and enjoy, or are liable to.

No. 12.

Passed Nov. 4, 1834. An Act, annexing a part of the town of Cabot to the town of Danville.

Part of Cabot annexed to Danville.

It is hereby enacted by the General Assembly of the state of Vermont, That so much of the north-east part of the town of Cabot as lies northerly and easterly of the main brook entering into Joe's pond from the north and northerly and easterly of said Joe's pond, estimated at one hundred and forty acres, be, and the same is, hereby annexed, and shall become a part of the town of Danville, for all town purposes, the same as though said tract of land had been embraced in the original chartered limits of said town of Danville.

CHAPTER LXI.

ALTERATION OF THE NAMES OF TOWNS.

No. 1.

Passed Nov. 16, 1825. An Act, altering the name of the town of Navy to that of Charleston.

Town of Navy to be called Charleston.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Navy, in the county of Orleans, shall be, hereafter, known and called by the name of Charleston.

Designation of town in land

Provided, That for the term of three years after the passing of this act, in all public notices and advertisements, which shall or may, in any degree or manner, affect the exposure of the

lands in said township for sale, at vendue, for taxes or otherwise, or shall respect any meeting or proceeding of the proprietors of said township, the said town shall be called in said publication, *Charleston, late Navy, in the county of Orleans.*

notices, for
three years.

No. 2.

An Act, altering the name of the town of Parkerstown to that of Mendon.

Passed Nov. 6,
1827.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Parkerstown, in the county of Rutland, shall be, hereafter, known and called by the name of Mendon.

Alteration of
name.

Provided, That for the term of three years after the passing of this act, in all public notices and advertisements, which shall or may, in any degree or manner, affect the exposure of the lands in said township, for sale at vendue for taxes, or otherwise, the said town shall be called, in said publication, *Mendon, late Parkerstown, in the county of Rutland.*

Proviso.

No. 3.

An Act, altering the name of the town of Vineyard, to that of Isle La Mott.

Passed Nov. 6,
1830.

It is hereby enacted by the General Assembly of the state of Vermont, That from and after the first day of January next, the town of Vineyard, in the county of Grand Isle, shall be called and known by the name of Isle La Mott.

No. 4.

An Act, altering the name of the town of Minehead.

Passed Nov. 9,
1830.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Minehead, in the county of Essex, shall be, hereafter, known and called by the name of Bloomfield.

Name of Mine-
head altered to
Bloomfield.

Provided, That for the term of three years after the passing of this act, in all public notices and advertisements, which shall, in any degree, affect the exposure of lands in said township for sale, at vendue, for taxes, or otherwise, or shall respect any

Proviso.

meeting or proceeding of the proprietors of said township, the said town shall be called, in such notices, *Bloomfield, late Minehead, in the county of Essex.*

No. 5.

Passed Nov. 1,
1831.

An Act, altering the name of the town of Kellyvale.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Kellyvale, in the county of Orleans, shall be, hereafter, known and called by the name of Lowell. *Provided,* That for the term of three years, after the passing of this act, in all public notices and advertisements, which shall, in any degree, affect the exposure of lands, in said township, for sale at vendue, for taxes, or otherwise; or, shall respect any meeting, or proceeding of the proprietors of said township, the said town shall be called, in such notices, *Lowell, late Kellyvale, in the county of Orleans.*

Town of Kelly-
vale to be cal-
led Lowell.

Proviso.

No. 6.

Passed Nov. 3,
1832.

An Act, altering the name of Random.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Random, in the county of Essex, shall be, hereafter, known and called by the name of Brighton. *Provided,* That for the term of three years, after the passing of this act, in all public notices and advertisements, which shall, in any degree, affect the exposure of lands, in said township, for sale at vendue for taxes, or otherwise, or shall respect any meeting or proceeding of the proprietors of said township, the said town shall be called in such notices, *Brighton, late Random, in the county of Essex.*

Town of Ran-
dom to be cal-
led Brighton.

How called in
notices.

No. 7.

Passed Nov. 6,
1834.

An Act, altering the name of Kingston.

It is hereby enacted by the General Assembly of the state of Vermont, That the town of Kingston, in the county of Addison, shall hereafter be known and called by the name of Granville;—*Provided,* That for the term of seven years after

Name of Kings-
ton altered to
Granville.

Proviso.

the passing of this act, in all public notices and advertisements, which shall in any degree affect the exposure of lands in said township for sale, at vendue for taxes, or otherwise, or shall respect any meeting or proceeding of the proprietors or owners of said township, the said town shall be called in such notices, *Granville, late Kingston, in the county of Addison.*

CHAPTER LXII.

OF THE DEAF AND DUMB.

No. 1.

An Act, for the benefit of the Deaf and Dumb.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That the treasurer be, and hereby is, directed to pay to the order of the board of commissioners hereinafter empowered, out of any moneys in the treasury, not otherwise appropriated, any sum, not to exceed, in amount, three thousand dollars annually, for four years next ensuing.*

SEC. 2. — That there shall be appointed, annually, by joint ballot of both houses of the legislature, a board of commissioners, to consist of three persons, who shall have power to appropiate and designate the objects of the state's bounty, herein embraced; to draw orders on the treasury, pursuant to the provisions of the first section of this act; to superintend and direct all concerns relating to the education of the deaf and dumb, who are inhabitants of this state, and to superintend the expenditures necessary to defray the expenses of such as are suitable subjects, and who are desirous to receive the benefits of education offered by the American Asylum, established in the city of Hartford, in the state of Connecticut, for the education of the deaf and dumb.† And it shall be the duty of the commissioners aforesaid to make annual reports to the legislature of their proceedings, with an account of the expenditures incurred by them in the discharge of their duties, under the authority of this act.‡

SEC. 3. — That the town clerks, magistrates, and selectmen of the respective towns in this state, or a majority of them be, and they are hereby made a board of inquiry, whose duty it shall be, annually, to ascertain and certify to the county clerk of each county, on or before the first day of February, in each and every year, the number of the deaf and dumb persons in their several towns, their respective ages, condition and circumstances, and the ability of the parents to educate them, and whether, in their opinion, they are, in this respect, proper sub-

Passed Nov. 9,
1825.

Treasurer to
pay to com'rs.
not exceeding
\$3000 annually,
for four years.

*See no. 3 &
no. 5 for further
appropriations.

Com'rs. how
appointed.

General powers
and duties of
commissioners.

†See chap. 63,
no. 1.

‡See no. 2.

Civil authori-
ties of towns to
certify to coun-
ty clerks the
number, cir-
cumstances and
condition of the
deaf and dumb
in their towns
by Feb. 1.

*See no. 4.

County clerks
to make return
to comm'rs.

jects of the charity of the state, and whether said deaf and dumb are willing to become, and whether their parents or guardians are desirous they should become, beneficiaries in the said American Asylum.* And it is hereby made the duty of the county clerks of each county, and they are directed, to make returns, from year to year, to the said commissioners, of all the information they receive from the respective boards of inquiry, aforesaid, relating to the deaf and dumb, on or before the first day of March, in each and every year.

No. 2.

Passed Nov. 9, 1826. An Act, providing compensation for the commissioners appointed to superintend the fund for the deaf and dumb.

Compensation
to comm'rs.

†See no. 1.

Auditor to al-
low and certify
accounts.

It is hereby enacted by the General Assembly of the state of Vermont, That each commissioner, appointed under the act, entitled "an act for the benefit of the deaf and dumb," passed the ninth day of November, in the year of our Lord one thousand eight hundred and twenty-five,† shall for each day, actually spent in discharging the duties assigned him, be entitled to receive two dollars, together with his reasonable expenses, actually paid out, as full compensation for such services: and it is hereby made the duty of the auditor of accounts against the state to examine, allow and certify the same; and such accounts, allowed and certified, as aforesaid, shall be passed to the credit of said commissioners, in accounting for the funds committed to their disposition, by the act aforesaid.

No. 3.

Passed Nov. 10, 1830. An Act, directing the treasurer to pay the board of commissioners for the benefit of the deaf and dumb, the sums therein mentioned.

Treasurer to
pay comm'rs. of
deaf and dumb
not exceeding
\$3,000 for four
years.

†See no. 1.

It is hereby enacted by the General Assembly of the state of Vermont, That the treasurer of this state be, and he hereby is, directed to pay, to the order of the commissioners of the deaf and dumb, a sum, not exceeding three thousand dollars, annually, for four years, next ensuing, out of any money in the treasury, not otherwise appropriated; it being for the benefit of the deaf and dumb, that now are, or may hereafter be, under the care of said board of commissioners, to be appropriated agreeably to the provisions of an act passed November ninth, one thousand eight hundred and twenty-five, entitled "an act for the benefit of the deaf and dumb."†

No. 4.

In General Assembly, Nov. 10, 1830.

Resolved, the Governor and Council concurring herein, That the commissioners, appointed under the act for the benefit of the deaf and dumb, be directed, in cases of extreme poverty, to admit applicants to the American Asylum, without requiring bonds to indemnify the state against expenses, that may accrue, in consequence of the sickness; clothing or transportation of the beneficiaries.

Applicants in case of extreme poverty to be admitted without bonds.

[Concurred Nov. 10, 1830.]

No. 5.

An Act, directing the treasurer to pay the board of commissioners for the benefit of the deaf and dumb the sums therein mentioned.

Passed Nov. 6, 1834.

It is hereby enacted by the General Assembly of the state of Vermont, That the treasurer be, and he hereby is, directed to pay to the order of the commissioners of the deaf and dumb a sum not exceeding three thousand dollars, annually, for nine years next ensuing, out of any money in the treasury not otherwise appropriated; it being for the benefit of the deaf and dumb that now are, or hereafter may be, under the care of said board of commissioners, to be appropriated agreeably to the provisions of an act passed November ninth, one thousand eight hundred and twenty-five, entitled "an act for the benefit of the deaf and dumb."

Treasurer to pay certain sum to order of commissioners of deaf and dumb, for certain time.

CHAPTER LXIII.

OF THE BLIND.

An Act, for the benefit of the blind.

Passed Nov. 7, 1833.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That the treasurer be, and hereby is, directed to pay to the order of the board of commissioners, hereinafter empowered, out of any moneys in the treasury, not otherwise appropriated, any sum not to exceed twelve hundred dollars, in amount, annually for ten years, next ensuing.

Treasurer directed to pay to board of commissioners, annually, twelve hundred dollars.

* See chap. 62, no. 1.

SEC. 2. — *That the board of commissioners, appointed

Comm'rs. of deaf and dumb to superintend the concerns, relative to the education of the blind.

annually, in pursuance of an act entitled "an act, for the benefit of the deaf and dumb," passed November ninth, one thousand eight hundred and twenty-five, shall have power to appropriate and designate the objects of the state's bounty, herein embraced; to draw orders on the treasury, pursuant to the provisions of the first section of this act; to superintend and direct all concerns relative to the education of the blind, who are inhabitants of this state, and to superintend the expenditures, necessary to defray the expenses of such as are suitable subjects, and who are desirous to receive the benefits of education, offered by the New-England Institution, for the instruction of the blind, established in the city of Boston, in the state of Massachusetts, for the instruction of the blind. And it shall be the duty of the commissioners aforesaid, to make annual reports to the legislature of their proceedings, with an account of the expenditures, incurred by them, in the discharge of their duties, under the authority of this act.

And make annual report to the legislature.

Town clerks, magistrates and selectmen constituted a board of inquiry.

SEC. 3. — That the town clerks, magistrates and selectmen, of the respective towns, in this state, or a majority of them, be, and they are hereby made a board of inquiry, whose duty it shall be, annually, to ascertain and certify to the county clerk of each county, on or before the first day of February, in each, and every year, the number of blind persons in the several towns, their respective ages, condition and circumstances, and the ability of the parents to educate them; and whether, in their opinion, they are in this respect, proper subjects of the charity of the state, and whether said blind are willing to become, and whether their parents, or guardians, are desirous they should become, beneficiaries in the said institution. And it is hereby made the duty of the county clerks, in each county, and they are directed, to make returns, from year to year, to the said commissioners, of all the information they receive from the respective boards of inquiry, aforesaid, relating to the blind, on, or before the first day of March, in each, and every year.

Their duty.

Duty of county clerks.

CHAPTER LXIV.

OF EXTRA JUDICIAL OATHS.

Passed Nov. 7,
1833.

An Act, in relation to extra judicial oaths.

Penalty for administering or taking oath not authorized by law.

It is hereby enacted by the General Assembly of the state of Vermont, That hereafter, if any person in this state, authorized by law, to administer oaths, or affirmations; or any person not authorized, as aforesaid, shall administer to any person, or persons in this state, any oath, affirmation, or obligation in

the nature of an oath, not authorized by law ; or if any person, or persons, in this state, shall knowingly, or wittingly, permit or suffer any such oath, affirmation, or obligation in the nature of an oath, to be administered to, or taken by him, or them, every such person so offending, shall forfeit and pay to, and for the use of the state, a sum not exceeding one hundred dollars, nor less than fifty dollars, to be recovered by information or indictment, before any court of competent jurisdiction, in the county wherein such offence shall be committed.

Provided however, That nothing in this act contained, shall be construed to extend to the administering or taking, of any oath or affirmation, to the truth of any affidavit, to be used in support of, or in opposition to, any motion made, or to be made, in any suit, pending in any court of law, or equity, or before arbitrators, or referees, or to the administering of any oath or affirmation to any arbitrators, referees, or appraisers ; or to any affidavit, oath, or affirmation, administered or taken for the establishment of truth, or the furtherance of justice, or to interfere with, or abridge the powers of any magistrate, in the discharge of his official duty. Proviso.

CHAPTER LXV.

OF RELIEF OF BAIL.

An Act, for the relief of bail in certain cases.

Passed Nov. 9,
1831.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person, who may have been made liable, upon any jail bond, by him signed, as surety for any prisoner, committed on execution, and shall have been obliged to pay any sum, or sums, of money, by reason of any breach of such bond, which breach has been induced by reliance on any act of suspension, or other act of the legislature of this state, passed for the special relief of such principal debtor, and which act shall have been adjudged unconstitutional and void, shall consider himself entitled to indemnity, from this state ; and, also, in all cases where sheriffs or their deputies shall have been sufferers, by such acts, it shall be lawful for such person to prefer his petition to the county court, of the county in which he, or she, resides, setting forth the grounds of said claim, and praying indemnity, from the state, for such sum, or sums, as he, or she, may have been compelled to pay, as aforesaid.

Bail who have
been injured by
unconstitution-
al acts may
petition county
court.

SEC. 2. — That notice of such application, or petition, shall first be given, by leaving with the state's attorney, for

Notice to state's attorney.

Court to determine and adjudge.

Duty of state's attorney to appear and defend.

Exceptions.

Clerk to draw order.

Treasurer to pay.

Proviso.

said county, a true and attested copy of such petition, at least, twelve days before the session of said county court, to which said petition shall be returnable, and said petition, being duly served and returned, as aforesaid, it shall be the duty of said court, to proceed to hear, try, and determine said claim; and if said court shall be of opinion, that such claim is legally, or in analogy to legal principles, or according to the principles of justice and equity, binding on this state, it shall be the duty of said court so to adjudge.

Sec. 3. — That it shall be the duty of the state's attorney, for said county, to appear to, and defend the said suit, in behalf of this state; and in case any question of law shall arise, on said trial, proper to be carried to the supreme court, for final adjudication, either party may file exceptions to the decision of said county court, thereon, and the same may be carried to said supreme court, in the usual manner, as in other cases, and said supreme court shall adjudicate, finally, thereon.

Sec. 4. — That whenever the said county, or supreme court, shall, finally, allow any such claim, or claims, it shall be the duty of the clerk of said court, to draw his order upon the treasurer of this state, under the direction of said court, in favor of such petitioner, for such sum as shall be allowed him, and deliver the same to such petitioner; and it is hereby made the duty of the said treasurer to pay the same.

Provided, That said court shall not allow interest on such claims, nor costs of prosecution.

CHAPTER LXVI.

OF APPEALS, &c. FROM THE CITY COURT OF VERGENNES.

Passed Nov. 9, 1831.

An Act, in addition to an act, entitled "an act for incorporating a part of the towns of New Haven, Panton and Ferrisburgh," passed Oct. 23, 1788.

Appeals from city court shall be to next session of Addison county court.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That all appeals, which are, by law, now allowed from the judgments of the city court, of the city of Vergennes, which shall, hereafter, be made, shall be to the then next stated session of the county court, within and for the county of Addison, any law to the contrary notwithstanding.

Questions of law may pass to sup. court.

Sec. 2. — That all questions of law arising upon jury trials, in said city court, and placed upon the record by agreement of the parties, or the allowance of any two of the judges, that shall attend the trial, may pass to the supreme court of said Addison county, at their then next stated session, for said

county, for a final decision, but execution shall not, of course, be thereby stayed, but may be stayed by order of said city court, should such court be of opinion that justice requires such stay, in consideration of the difficulty and importance of the question depending; and when execution shall be stayed, as aforesaid, and the judgment of the said city court, shall be affirmed by the supreme court, said supreme court shall render judgment for the sum found by the court, or jury, adding thereto, interest during such stay of execution, with additional cost, and award execution thereon.

Execution may be stayed by order of city court.

Supreme court shall render judgment and award execution.

SEC. 3. — That all questions of law, decided by said city court, on the trial, or hearing, of any cause, pending before such court, and placed upon the record, by the agreement of the parties, or the allowance and order of two of the judges of the city court, as aforesaid, may pass to the supreme court for their decision, the same as questions of law arising on jury trials.

All questions of law allowed by two judges of city court to pass to sup. court.

SEC. 4. — That whenever any cause shall pass from the city court to the supreme court, as aforesaid, the party claiming such exceptions, shall, on or before the opening of the court, on the second day of the term, to which said exceptions are made, lodge, with the clerk of said supreme court, authenticated copies, duly certified, by the clerk of said city court, of all the proceedings of such court, in said city court; and it is hereby made the duty of the clerk of said supreme court, to enter the same on the docket of said court; and the copies so returned, and entered, on the docket of the said court, shall, to all intents, be considered and treated as original files, in said supreme court.

Copies of the proceedings of city court to be filed with clerk of sup. court.

SEC. 5. — That whenever any cause, cognizable before the said city court, shall have passed to the supreme court, for their decision of any question of law, therein arising, as aforesaid, and the same shall have been sent back from said supreme court, for trial, or assessment of damages, such city court may proceed to try and render judgment, in such action, and award execution thereon.

City court may render judgment and issue execution in cases sent back from sup. court.

SEC. 6. — That in all cases, where any cause may be sent back, by the said supreme court, to said city court, for trial, as aforesaid, it shall be the duty of the clerk of said supreme court, immediately, after such order, or decision, to certify to the clerk of said city court, such decision of said supreme court, for the government and direction of said city court, in any future trial of said cause.

Clerk of sup. court to certify to clerk of city court the decision of sup. court.

CHAPTER LXVII.

OF FORMING FIRE COMPANIES.

Passed Nov. 8, 1832. An Act, authorizing and directing the mode of forming fire companies in this state.

Selectmen may establish limits of fire society, and affix a name thereto.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That from and after the passing of this act, that upon a written request of three-fourths of the freeholders of any village, within this state, containing twenty dwelling houses, or more, to the selectmen of the town in which such village shall be situated, it shall be the duty of such selectmen to lay out and establish the limits and bounds of such village, for the purpose of forming a fire society therein, and affix a name thereto, and make return thereof to the town clerk of such town, in writing, certified under their hands, and cause the same to be recorded in such town clerk's office, and give public notice of the limits and bounds of such village being laid out and established, by posting up notifications in not less than three public places in such village.

Freeholders of such village incorporated.

SEC. 2. — That every freeholder in such village, and their successors, shall be constituted and appointed by virtue of this act a body politic and corporate, to all intents and purposes, by the name affixed by said selectmen, and by that name may sue and be sued, plead and be impleaded, and may purchase, hold, and convey real estate to an amount not exceeding two thousand dollars, and personal estate to an amount not exceeding one thousand dollars, to themselves and successors; and have a common seal, and enjoy all the privileges and rights which are incident to corporations.

Powers.

First meeting.

SEC. 3. — That one of said selectmen shall set up a warning, in some proper place, giving at least ten days notice to such freemen, to meet at some suitable time and place, in said village, for the purpose of choosing such officers as may be by them deemed proper and necessary, and establish a mode of calling future meetings; and the said corporation may, at said meeting, and all other meetings legally holden, make and ordain by-laws, rules and regulations, and the same repeal and alter at pleasure, to carry into effect the object of said corporation.

By-laws.

Fire wardens.

SEC. 4. — That such persons, not exceeding twelve, as said corporation may, from time to time elect, by ballot, as fire wardens, and having with them some distinguishing badge of their office, fixed upon by such corporation, hereby shall be empowered, in times of fire, to demand and require assistance from any of the inhabitants of such village to extinguish and prevent the spreading of such fire, and to remove goods and effects out of any dwelling, or other places, endangered by said fire; and a majority of such fire wardens are hereby further empowered to cause to be pulled down, blown up, or removed,

Their powers and duties.

such dwellings, or other buildings, as they may deem necessary, for the purpose of preventing the spreading or progress of such fires; and the said fire wardens shall hereby be further empowered to require and demand assistance from any of the inhabitants of said village, to pull down or remove any building, whenever it shall be judged necessary by a majority of the fire wardens present; and said fire wardens shall hereby be empowered to suppress any tumults, or disorders, and direct the labor of all persons present during such fires, belonging to such village; and if any person as aforesaid, shall refuse to obey the orders of said fire wardens, in any manner, authorized by this act, such offender shall, on conviction thereof before any justice of peace, proper to try the same, forfeit and pay a fine, not exceeding seven dollars, to the treasurer of such corporation. *Provided*, That the offender be prosecuted by action of debt, brought by any warden in the name of said treasurer, within ninety days from the time of committing such offence.

Penalty for refusing to obey orders of wardens.

Proviso.

SEC. 5. — That the said corporation shall have power to impose such fines, for the neglect of duties, as shall be, by the by-laws of such corporation, enjoined upon the members thereof; and also have power to regulate the keeping of all combustible materials, within the limits of such village.

Powers of corporation.

SEC. 6. — That the members of such engine company as may be formed under this act, being inhabitants of such village, shall be exempt from military duty, to the number of fifteen and no more, in times of peace only, to each fire engine—*Provided*, That all societies formed under this act, shall be under the control of any future legislature, to alter, amend, or repeal the same.

Members exempt from military duty.

Proviso.

CHAPTER LXVIII.

OF INSPECTION OF HOPS.

An Act, relating to the appointment and duties of Inspectors of Hops, in and for the state of Vermont.

Passed Oct. 29, 1831.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont*, That an inspector of hops be, annually, appointed, in and for each county of the state, wherein the county convention of said county may deem it necessary;—and said inspectors shall be appointed, commissioned and sworn, as other county officers are;—and their terms of commencing and closing their official year, shall be the same.

Inspector of hops may be appointed for each county.

How appointed. Must be commissioned and sworn.

SEC. 2. — That it shall be the duty of said inspector, when duly requested, to attend to the inspection of hops, in his respective county, and to mark each bag, or bale of hops, with

Duties of inspector.

the quality it may contain, by No. 1—No. 2—or No. 3—as the case may be, the name of the grower, or presenter for inspection, the name of the inspector, the name of the state, and the year, in which they were inspected.

SEC. 3. — That every person, whether the grower, owner, presenter for inspection, or inspector, who shall be guilty of any fraud, in the packing, quality, inspection or marking any bags or bales of hops, as aforesaid, shall, severally, forfeit and pay a fine of fifty dollars, with costs, for each and every fraud, as aforesaid; one half to the prosecutor, and the rest into the treasury of the county, in which the offence shall be committed; to be recovered by action of debt, before any court of competent jurisdiction; and shall be further liable to the party injured, to pay him, or them, all damages and costs, accruing from any frauds, as aforesaid, to be recovered, aforesaid.

Penalty for committing fraud.

How recover'd.

Also, liable for damages to the party injured.

Fees of inspectors.

SEC. 4. — That each inspector shall be entitled to receive, from his employer, or employers, six cents per mile, for each mile's necessary travel, going and returning, in the performance of the duties of his office;—and twenty-five cents, for each bag, or bale of hops, by him inspected and marked as aforesaid.

CHAPTER LXIX.

OF THE ERECTION OF WHARVES AND STORE-HOUSES ON LAKE CHAMPLAIN.

Passed Nov. 12, 1827. An Act, authorizing the erection of wharves and store-houses in lake Champlain.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That each and every person owning lands adjoining lake Champlain, within this state, be, and they hereby are, fully authorized and empowered to erect any wharf or wharves, store-house or store-houses, and to extend the same from the land of the person or persons, so erecting, in a direct course, into lake Champlain, to any distance they may choose within this state.

Regulation for the erection of wharves &c. on lake Champlain.

Provided, such wharf or wharves, store-house or store-houses shall be located between the lands of the person or persons, so erecting, and the channel of the lake.

Proviso.

Provided also, That such wharf or wharves, store-house or store-houses, shall not be extended so far into said lake as to impede the ordinary navigation in passing up and down said lake, as heretofore accustomed.

Restriction of privilege.

SEC. 2. — That all persons, their heirs, or assigns, who may have erected any wharf or wharves, store-house or store-

Rights of persons who have

houses, agreeably to the provisions of any grant heretofore made, or agreeably to the provisions of this act, shall have and enjoy the same privileges as if the same had been erected under the restrictions provided in this act.

erected
wharves.

SEC. 3. — That each and every person or persons, their heirs, or assigns, shall have the exclusive privilege of the use, benefit and control of any wharf or wharves, store-house or store-houses, forever, which may hereafter be erected, in said lake, agreeably to the provisions of this act.

Rights to
wharves to be
erected.

CHAPTER LXX.

OF CESSION OF LANDS TO UNITED STATES FOR A LIGHT-HOUSE.

An Act, ceding to the United States the exclusive jurisdiction over a site for a light-house. Passed Nov. 8, 1825.

It is hereby enacted by the General Assembly of the state of Vermont, That the exclusive jurisdiction over Juniper island in lake Champlain, near Burlington harbor, be, and hereby is, ceded to the United States of America, provided said United States shall purchase said island of the owners thereof, and erect and keep a light-house thereon;—and if said United States shall fail to purchase said island, for the purpose aforesaid, but shall purchase, from the owners thereof, five acres of the most south westwardly part of Apple-tree point, so called, on the north side of said Burlington harbor, the exclusive jurisdiction over said five acres is hereby ceded to the said United States, provided said United States shall erect and keep a light-house thereon.

Cession of Juniper island to U. States, provided U. S. purchase the same and erect a light-house.

Cession of part of Appletree point, in case Juniper island be not purchased.

CHAPTER LXXI.

OF CESSION OF LANDS TO UNITED STATES FOR AN ARSENAL.

No. 1.

An Act, ceding to the United States the exclusive jurisdiction over a site for an arsenal at Vergennes. Passed Nov. 1, 1826.

It is hereby enacted by the General Assembly of the state of Vermont, That the exclusive jurisdiction over ten acres of

Cession to U.
S. of land in
Vergennes for
arsenal.

land, deeded by Enoch D. Woodbridge to the United States, lying on the northerly bank of Otter Creek, in the city of Vergennes, and being a part of lot number one hundred and forty-two, drawn to the original right of Timothy Dakin, and particularly described in said deed, be, and the same hereby is, ceded to the United States, so long as the said United States shall continue to keep and maintain an arsenal thereon.*

*See no. 2.

No. 2.

Passed Oct. 25, 1823. An Act, in addition to an act entitled "an act ceding to the United States the exclusive jurisdiction over a site for an arsenal at Vergennes."

Cession of 18
acres of land in
Vergennes.

It is hereby enacted by the General Assembly of the state of Vermont, That the exclusive jurisdiction, over eighteen acres of land, lately conveyed by Enoch D. Woodbridge to the President of the United States and his successors in office, lying and being in the city of Vergennes, and adjoining, on the south and west, the ten acres of land described in the act to which this is in addition, and particularly described in said Woodbridge's deed of the same, be, and the same is, hereby ceded to the United States, so long as the same is used by the United States as an appurtenant to the arsenal ground in said Vergennes, and the arsenal is kept and maintained at that place by the United States.

Right of tow
path co. protect-
ed.

Provided nevertheless, That no right or privilege herein granted, shall interfere with any right in the premises heretofore granted by the general assembly of this state to the Otter creek tow-path company.

State process
reserved.

Provided also, That nothing herein contained shall be construed to prevent the service of civil process, under the authority of this state, within the limits herein described:

CHAPTER LXXII.

OF THE DESTRUCTION OF BEARS.

Passed Nov. 4,
1834.

An Act, to encourage the destroying of bears within this state.

Premium for
destroying
bears.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person shall hereafter take, kill, and destroy, any grown bear within this state, he shall receive out of the treasury of this state five dollars, as a pre-

Treasurer to furnish town clerks with blank certificates.

Town clerks to examine, &c.

And fill up certificate.

Treasurer to pay, &c.

Town clerks to mark foxes, &c.

Empowered to administer oath.

the state to furnish each town clerk of the respective towns within this state, with a number of printed blanks of a certificate, proper to be given in such case. And every person who shall kill a fox, within this state, may apply to the town clerk, within the town in which such fox was killed, with such fox, or the skin of such fox; and such town clerk shall strictly examine such person, or persons, on oath, or affirmation, when, where, and how, he or they, obtained such fox, or skin, and whether the fox or skin to which it belonged was taken within this state; and when such town clerk shall be satisfied thereof, he shall give a certificate thereof, by filling up and signing one of the aforesaid blanks; which certificate the treasurer of the state shall receive, and thereupon pay to the holder the above premium, agreeably to the certificate given by such town clerk. And it shall be the duty of the several town clerks within this state, upon issuing any certificate, as aforesaid, for any fox, or skin of any fox, to put a mark upon said fox, or skin, by cutting off the right fore leg to the knee joint. And further, that the several town clerks, within this state, be, and they hereby are, empowered to administer the oath, herein required to be taken by the applicant for the certificate aforesaid. And the several towns, in this state, shall allow their town clerks such sum as may be reasonable, for their services, as required by this act.

No. 2.

Passed Nov. 6,
1834.

An Act, in addition to, and amendment of, an act entitled "an act to encourage the destruction of foxes within this state."

Person killing fox to apply to town clerk of town where he resides for certificate

It is hereby enacted by the General Assembly of the state of Vermont, That any person, who may hereafter become entitled to a premium by the provisions of an act, entitled "an act to encourage the destruction of foxes within this state," may make application for a certificate to the town clerk of the town in which such person resides, and such town clerk shall issue a certificate, as prescribed by said act, and such certificate shall be received and paid by the treasurer of this state, as is provided in and by said act, any thing contained in said act to the contrary notwithstanding. And if such fox be killed in an unorganized town, by a person residing in such town, application may be made to a town clerk of the next adjoining organized town for such certificate.

If killed in unorganized town may apply to town clerk of adjoining town.

CHAPTER LXXIV.

OF DESTRUCTION OF CROWS.

An Act, to encourage the destruction of crows, within this state.

Passed Nov. 6,
1833.

SEC. 1. *It is hereby enacted by the General Assembly of the state of Vermont,* That if any person shall kill, or destroy any crow, within this state, he shall receive out of the treasury of the state, as a premium for every such crow, the sum of ten cents.

Premium for
killing crows.

SEC. 2. — That it shall be the duty of the treasurer of the state, to furnish each town clerk, of the respective towns in this state, with printed blanks of a certificate, proper to be given in such case; and any person who shall kill a crow within this state, may apply to the town clerk, within the town, in which such person resides, with such crow, and such town clerk shall examine such person, or persons, when, where, and how, he, or they, obtained such crow, and whether the same was killed within this state; and when such town clerk shall be satisfied that such crow was killed within this state, as aforesaid, he shall give a certificate thereof, by filling and signing one of the aforesaid blanks; which certificate the treasurer of the state shall receive, and thereupon, pay to the holder, the above premium, agreeably to the certificate given by such town clerk. And it shall be the duty of the several town clerks, in this state, upon issuing any certificate, as aforesaid, for any crow, to put a mark upon said crow, by cutting off the left wing of said crow. And the several towns in this state, shall allow their town clerk such sum as may be reasonable, for the services, as required by this act.

Treasurer to
furnish town
clerks with bl'k
certificates.Town clerk to
examine, &c.And give certi-
ficate.Treasurer to
pay, &c.Town clerks to
mark crow, &c.Towns to allow
town clerks
compensation.

CHAPTER LXXV.

OF THE STATE LIBRARY.

In Council, Nov. 17, 1825.

Resolved, the General Assembly concurring herein, That it shall be the duty of the governor and council, annually, to appoint some suitable person, whose duty it shall be to take charge of, and keep in good order, all the books and public documents, deposited in the state-house, in Montpelier; and that a suitable room in the state-house be placed under the control of such person, for a place of deposit for such books and documents: and such person, in the discharge of his duty,

shall be governed by such rules and regulations as the governor and council shall, from time to time, prescribe.

[Concurred Nov. 17, 1825.]

CHAPTER LXXVI.

OF MILEAGE.

Passed Nov. 6,
1834.

An Act, directing the mode of ascertaining the mileage of the members of the General Assembly.

Secretary of
state to prepare
table of distan-
ces of several
towns from
state house.

From which ta-
ble, mileage of
members to be
computed.

It is hereby enacted by the General Assembly of the state of Vermont, That the secretary of state shall, on or before the first day of January next, prepare, or cause to be prepared, a table showing accurately the distance of the several towns in the state, on the nearest stage routes, and, where there are no stage routes, on the nearest convenient roads, from the state-house in Montpelier; which table when prepared shall be kept in the office of the secretary of state at Montpelier, and from which the mileage of the members of the general assembly and of the council shall hereafter be computed.

STATE OF VERMONT.

SECRETARY OF STATE'S OFFICE, }
MONTPELIER, APRIL 14, 1835. }

I hereby certify that the acts and laws of this State, as compiled by DANIEL P. THOMPSON, Esq. contained in the foregoing work, from page 9, to page 194, both inclusive, have been, in pursuance of a resolution passed by the Legislature of this State, November 6, 1834, carefully collated and compared with the original acts in this office, and found to be true copies of said original acts.

TIMOTHY MERRILL,
Secretary of State.

A.

LIST OF ACTS REPEALED,

OR EXPIRED BY THEIR OWN LIMITATION, FROM 1824, TO 1835, AND
OMITTED FROM THIS COMPILATION.

(See pamphlet acts of corresponding dates.)

	<i>Date of Acts.</i>	<i>Page of pam. acts.</i>	<i>Date of Repeal. &c.</i>
An Act, making provision for reporting the decisions of the supreme court,	Nov. 16, 1825	7	Nov. 13, 1827.
to preserve the fish in the waters of Bennington and Pownal, in the county of Bennington,	Nov. 3, 1825	24	Expired March 11, 1830.
taxing agents of foreign insurance companies,	Nov. 16, 1825	30	Nov. 9, 1830.
to preserve fish in Hall's pond and Hariman's pond in Newbury,	Nov. 15, 1826	14	Expired April 1, 1829.
to preserve fish in Woodford pond,	Nov. 8, 1826	15	Oct. 26, 1829.
for the preservation of fish in Well's pond,	Nov. 8, 1826	16	Expired Nov. 8, 1829.
to preserve fish in Warner's pond in Londonderry,	Nov. 9, 1826	17	Expired June 1, 1830.
to preserve fish in the several waters in the town of Starksborough in the county of Addison,	Nov. 15, 1826	19	Oct. 30, 1828.
to preserve fish in Greensborough pond, annexing the town of Concord, in the county of Essex, to the county of Calendon, and for other purposes,	Nov. 15, 1826	20	Oct. 30, 1828.
relating to common schools,	Nov. 15, 1826	21	Nov. 1, 1827.
in addition to "an act for the support of schools,"	Nov. 6, 1826	21	Nov. 9, 1827.
in addition to "an act entitled 'an act for the support of schools,'"	Nov. 15, 1826	22	Nov. 9, 1827.
repealing part of an act therein mentioned, (viz: part of the 17th section of Lister's act of 1825.)	Nov. 15, 1826	22	Nov. 9, 1827.
explanatory of the second section of the Lister's act,	Nov. 10, 1827	13	Nov. 29, 1828.
in addition to the several acts for laying out, making and repairing highways,	Nov. 13, 1827	12	Oct. 29, 1828.
to preserve fish in the waters of Bristol,	Nov. 13, 1827	12	Nov. 9, 1831.
to preserve fish in Readsborough pond,	Nov. 12, 1827	16	Nov. 1, 1830.
to preserve fish in North pond in Ryegate,	Nov. 12, 1827	17	Ex. Mar. 1, 1831
in addition to the several acts for laying out, making and repairing highways,	Nov. 12, 1827	17	Expired March 1, 1831.
	Oct. 30, 1828	8	Nov. 9, 1831.

An Act, in alteration of "an act dividing the state into districts for electing representatives to the Congress of the United States, and directing the mode of their election,"	Date of Acts.	P.	Date of Repeal.
in addition to "an act entitled 'an act to provide for the support of common schools,'"	Oct. 18, 1828	11	Oct. 28, 1830.
annexing part of the town of Belvidere to the town of Eden,	Oct. 30, 1828	12	Nov. 6, 1833.
to preserve fish in the several waters in the town of Starksborough in the county of Addison, (being merely a revival of the act of 1826, which was repealed in 1828. See ante.)	Oct. 30, 1828	15	Nov. 3, 1831.
to preserve fish in certain waters in Ludlow and Plymouth,	Oct. 28, 1829	11	Nov. 1, 1831.
to repeal an act therein mentioned, (viz. an act for the preservation of muskrats in Otter creek,)	Oct. 28, 1829	12	Expired Oct. 28, 1832.
making provision for settling the concerns of Vermont State Bank, and to repeal an act therein mentioned, (viz: an act relative to said bank, passed Nov. 6, 1823.)	Oct. 26, 1829	13	Nov. 9, 1830.
in alteration of the several acts regulating and governing the militia of this state, relating to roads and bridges,	Oct. 29, 1829	15	Nov. 8, 1832.
to preserve fish in Hinesburgh pond,	Oct. 28, 1829	16	Nov. 8, 1832.
to preserve fish in Leicester pond,	Nov. 10, 1830	8	Nov. 9, 1831.
directing the taxing of foreign bank stock,	Nov. 3, 1830	22	Nov. 7, 1833.
in addition to, and explanatory of "an act entitled 'an act, in alteration of the several acts regulating and governing the militia of this state,'"	Nov. 4, 1831	13	Oct. 26, 1833.
relating to contested elections,	Nov. 9, 1831	23	Nov. 7, 1833.
to encourage the destroying of bears,	Nov. 9, 1831	27	Nov. 8, 1832.
relating to retailers of spirituous liquors, directing the mode of obtaining licenses and regulating houses of public entertainment,	Nov. 10, 1827	20	Nov. 6, 1834.
annexing Savage Island to South Hero,	Nov. 9, 1831	19	Nov. 4, 1834.
	Nov. 7, 1833	10	Nov. 6, 1834.
	Nov. 1, 1832	26	Nov. 4, 1834.

B.

LIST OF PUBLIC UNREPEALED ACTS,

OMITTED IN THIS COMPILATION.

(See pamphlet Acts of corresponding dates.)

	Date of Acts.	Page pam. Acts.
An Act, repealing the second section of an act therein mentioned, (viz: the second section of an act incorporating John-son's Gore into a town by the name of Acton.)	Nov. 16, 1825	31

An Act,	<i>Date of Acts.</i>	<i>P.</i>
to provide for the distribution and sale of the compiled laws,	Nov. 17, 1825	30
directing the appointment of canal commissioners,	Nov. 11, 1825	33
assessing a tax for the support of government,	Nov. 11, 1825	34
making the necessary appropriations for the support of government the present year, and for other purposes,	Nov. 16, 1825	34
making an appropriation for the payment of certain claims against the state,	Nov. 17, 1825	35
authorizing the treasurer of this state to contract a temporary loan for the support of government,	Nov. 4, 1826	24
assessing a tax for the support of government,	Nov. 12, 1826	24
making appropriations for the support of government,	Nov. 12, 1826	25
to regulate the choice of a council of censors,	Nov. 1, 1826	28
appropriating the sum of money therein mentioned to defray the expenses of the council of censors,	Oct. 25, 1827	34
making an appropriation for the payment of a convention that may be convened by order of the council of censors,	Nov. 13, 1827	34
assessing a tax for the support of government,	Nov. 13, 1827	35
making appropriations for the support of government,	Nov. 13, 1827	35
authorizing the treasurer of this state to contract a temporary loan for the support of government,	Nov. 13, 1827	36
directing the treasurer to pay the board of commissioners for the benefit of the deaf and dumb the sum therein mentioned,	Nov. 13, 1827	36
authorizing the treasurer of this state to deed lands, (to Wm. G. Hooker, of Middlebury.)	Nov. 13, 1827	36
to repeal an act therein mentioned, (viz: to repeal an act annexing Concord to Caledonia county.)	Nov. 1, 1827	37
providing for the publication of the reports of the supreme court,	Oct. 30, 1828	5
repealing an act therein mentioned, (viz: the providing clause to the 17th section of the Lister's act of 1825.)	Oct. 29, 1828	7
repealing an act therein mentioned, (viz: an act to preserve fish in Greensborough pond.)	Oct. 30, 1828	10
to repeal "an act entitled 'an act to preserve fish in the waters in Starksborough,'"	Oct. 30, 1828	11
making appropriations for the support of government,	Oct. 29, 1828	14
assessing a tax for the support of government,	Oct. 29, 1828	14
authorizing the treasurer of this state to sell and convey certain lands in Colchester,	Oct. 27, 1828	14
in addition "to an act, providing for the building of a state prison," (for erecting an east wing to said prison.)	Oct. 27, 1829	6
to repeal an act entitled "an act to preserve fish in Woodford pond,"	Oct. 26, 1829	12
making appropriations for the support of government,	Oct. 29, 1829	18
assessing a tax for the support of government,	Oct. 29, 1829	19
to repeal an act therein mentioned, (viz: an act repealing an act for the preservation of muskrats, passed Oct. 26, 1829.)	Nov. 9, 1830	22
to repeal an act entitled "an act to preserve the fish in the waters of Bristol,"	Nov. 1, 1830	23
repealing an act therein mentioned, (viz: an act in alteration of "an act dividing the state into districts for electing representatives to Congress," passed Oct. 18, 1828.)	Oct. 28, 1830	23
repealing an act entitled "an act taxing agents of foreign fire insurance companies,	Nov. 9, 1830	24
assessing a tax for the support of government,	Nov. 10, 1830	24
making appropriations for the support of government,	Nov. 10, 1830	25
repealing part of an act therein mentioned, (viz: so much of an act to preserve fish in Otter creek as relates to	Nov. 3, 1831	12

	<i>Date of Acts.</i>	<i>P.</i>
Addison county, passed Oct. 31, 1823, said last named act having since expired by its own limitation.)		
to repeal an act entitled "an act to preserve the fish in the waters of Starksborough,"	Nov. 1, 1831	12
assessing a tax for the support of government,	Nov. 9, 1831	26
making the necessary appropriations for the support of government the present year,	Nov. 9, 1831	29
in addition to an act dividing the state into districts for electing representatives to the Congress of the United States, and directing the mode of their election, passed Nov. 11, 1822,	Nov. 9, 1831	24
in addition to an act entitled "an act dividing the state into districts for electing representatives to the Congress of the United States, and directing the mode of their election," (having an act to supply the vacancy occasioned by the death of Jonathan Hunt.)	Oct. 22, 1832	19
assessing a tax for the support of government,	Nov. 8, 1832	23
making appropriations for the support of government,	Nov. 8, 1832	24
to regulate the choice of a council of censors,	Nov. 6, 1833	6
providing for the compiling and printing an additional volume of the laws of this state,	Nov. 2, 1833	12
to repeal an act requiring foreign bank stock to be given into the list,	Nov. 7, 1832	23
authorizing the treasurer to borrow the sum therein stated,	Nov. 7, 1833	24
assessing a tax for the support of government,	Nov. 6, 1833	25
making appropriations for the support of government,	Nov. 6, 1833	26
repealing an act therein mentioned, (viz: an act to preserve fish in Hinesburgh pond, passed Nov. 3, 1820.)	Nov. 7, 1833	27
to repeal an act therein mentioned, (viz: an act to preserve fish in Leicester pond, passed Nov. 4, 1831.)	Oct. 26, 1833	27
appropriating a sum to defray expenses of the council of censors,	Oct. 23, 1834	22
authorizing the treasurer to borrow the sum therein mentioned,	Nov. 4, 1834	26
making appropriations for the support of government,	Nov. 4, 1834	26
assessing a tax for the support of government,	Nov. 4, 1834	27
to repeal an act annexing Savage Island to South Hero,	Nov. 4, 1834	28
to repeal an act relating to retailers of spirituous liquors, &c. passed Nov. 7, 1833.	Nov. 6, 1834	10

C.

LIST OF ACTS IN COMPILED LAWS,

REPEALED BY ACTS SINCE 1824.

	<i>Date of repeal.</i>	<i>Page of C. L.</i>
An Act, providing for the building of a state arsenal,	Nov. 17, 1825	650
the several acts regulating the general list,	" "	387-400
to preserve fish in Shrewsbury pond,	Nov. 1, 1826	503
to preserve pickerel in Fairlee pond, in the county of Orange,	Nov. 1, 1826	502
to enforce the due observation of the sabbath,	Nov. 13, 1827	605
for the support of schools,	Nov. 9, 1827	589
empowering towns to lay out school districts in certain cases,	" "	593

An Act,	<i>Date of Rep'l.</i>	<i>Page.</i>
in addition to an act entitled "an act for the support of schools,"	Nov. 9, 1827	593
in addition to an act entitled "an act for the support of schools,"	" "	594
in addition to an act entitled "an act empowering towns to lay out school districts in certain cases,"	" "	594
in addition to an act entitled "an act for the support of schools,"	" "	595
in addition to an act entitled "an act for the support of schools and the several acts in addition thereto,"	" "	595
in addition to an act for the support of schools, to preserve fish in the streams running in and through the town of Bennington, in the county of Bennington,	" "	597
making provision for settling the concerns of the Vermont State Bank,	Nov. 11, 1819	497
dividing the state into districts for electing representatives to the Congress of the United States, and directing the mode of their election,	Oct. 29, 1829	610
in addition to an act entitled "an act regulating town meetings and the choice of town officers," (viz: empowering towns to make regulations for restraining rams.)	Nov. 8, 1832	575
directing the mode of obtaining licenses and regulating houses of public entertainment,—and all acts in amendment thereof and addition thereto,	Nov. 4, 1833	418
laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail—and all acts in addition thereto.	Nov. 7, 1833	482
more effectually to prevent intemperance,	" "	483, 45
	" "	486
	" "	489

D.

A LIST OF ALL LOCAL AND PRIVATE ACTS,

PASSED FROM 1824 TO 1835, EXCEPT GRANTS OF MONEY AND ACTS OF THE MOST PRIVATE AND TEMPORARY NATURE.

INCORPORATIONS.

BANKS.

	<i>Date of Acts.</i>
An act, to incorporate the President, Directors and Company of the Bank of Montpelier,	Oct. 28, 1825.
of the Bank of St. Albans,	Oct. 29, 1825.
of the Bank of Caledonia,	Nov. 2, 1825.
of the Bank of Vergennes,	Oct. 27, 1826.
of the Bank of Bennington,	Oct. 25, 1827.
of the Bank of Orange county,	Nov. 3, 1827.
An act, in addition to the act incorporating the Bank of Rutland,	Oct. 22, 1828.
the Bank of Montpelier,	Oct. 30, 1828.
An act, extending the act incorporating the Bank of Windsor,	Nov. 5, 1830.
the Bank of Burlington,	Nov. 5, 1830.
An act, to incorporate the President, Directors and Company of the Bank of Woodstock,	Nov. 9, 1831.

An act, to incorporate the President, Directors and Company	<i>Date of Acts.</i>
of the Bank of Bellows Falls,	Nov. 9, 1831.
of the Bank of Middlebury,	" 9, "
of the Bank of Manchester,	Nov. 7, 1832.
of the Bank of Orleans,	" 8, "
of the Bank of Newbury,	" 7, "
of the Bank of Essex,	" 7, "
An act, in addition to the act incorporating the Bank of Orange co'y,	" 7, "
the Bank of Woodstock,	" 1, "
An act, extending the act incorporating the Bank of Brattleborough,	" 7, "
An act, to incorporate the President, Directors and Company	
of the Farmer's Bank,	Nov. 7, 1833.
An act, in addition to the act incorporating the Bank of Essex,	" 2, "
An act, to incorporate the President, Directors and Company	
of the Farmer's and Mechanic's Bank,	Nov. 4, 1834.

FIRE COMPANIES.

An Act, incorporating the Ascutney Fire Insurance Company,	Nov. 17, 1825.
the Bellows Falls Fire Company,	" 8, "
the Bennington East Village Fire Engine Co.	" 8, "
the Vermont Mutual Fire Insurance Company,	Nov. 10, 1827.
the Middlebury Fire Society,	Oct. 27, 1828.
the Randolph West Village Fire Company,	Oct. 30, 1828.
a Fire Company in St. Albans,	Oct. 26, 1829.
the Burlington Fire Company,	Oct. 29, 1829.
the Rutland Fire Society,	Oct. 26, 1829.
An act, in addition to an act to incorporate the	
Vermont Mutual Fire Insurance Company,	Oct. 29, 1829.
Woodstock Fire Society,	Oct. 29, 1829.
Montpelier Fire Company,	Nov. 10, 1830.
An act, to legalize the proceedings of the Burlington Fire Company,	Nov. 1, 1830.
An act, to incorporate the Manchester South Village Fire Company,	Nov. 6, 1830.
the Danville Fire Society,	Nov. 6, 1830.
the Bennington East Village Fire Company,	Nov. 1, 1831.
the Brattleborough Fire Society,	Oct. 24, 1831.
the Wallingford Village Fire Company,	Oct. 29, 1831.
An act, in addition to an act to incorporate the Vermont Mutual Fire	
Insurance Company,	Nov. 8, 1831.
An act, to incorporate the Springfield Fire Company,	Oct. 27, 1832.
the Windsor Village Corporation,	Nov. 7, 1832.
the Bellows Falls Village Corporation,	Nov. 1, 1833.
the North Bennington Fire Company,	Nov. 6, 1834.

MANUFACTURES.

An act, to incorporate the Barnet Cotton and Woolen Manufacturing	
Company,	Nov. 14, 1825.
the Bellows Falls Manufacturing Company,	" 17, "
the Queechy Manufacturing Company,	" 17, "
the Vergennes Manufacturing Company,	" 17, "
the Rutland Iron Manufacturing Company,	Oct. 25, "
the Middlebury Iron Manufacturing Company,	Nov. 8, "
An act, to revive an act incorporating the Vermont Lead and Refi-	
ning Manufacturing Company,	" 17, "
An act, in addition to the act incorporating the Bellows Falls Man-	
ufacturing Company,	Nov. 2, 1826.

	<i>Date of Acts.</i>
An act, to incorporate the Vermont Salt Manufacturing Company,	Nov. 12, 1826.
An act, to incorporate the Bennington Iron Company,	" 14, "
the Pittsford Iron Manufacturing Company,	" 14, "
Champlain Glass Company,	Oct. 25, 1827.
Gneiss Bottom Manufacturing Company,	Nov. 5, "
Lamoille and Elmore Iron Factory and Mining Company,	" 14, "
An act, in addition to the act incorporating the Vermont Salt Manufacturing Company,	" 13, "
An act, to incorporate the Bennington Cotton Manufacturing Co.,	Oct. 30, 1828.
the Black River Canal and Manufacturing Co.,	" 24, "
the Green Mountain Manufacturing Company,	" 22, "
the Rutland Manufacturing Company,	" 25, "
the Bridgewater Village Manufacturing Co.,	" 30, "
the Windsor Manufacturing Company,	" 30, "
the Green River Manufacturing Company,	" 26, 1829.
An act, altering the name of the Gneiss Bottom Manufacturing Company to Perkinsville Manufacturing Co.,	" 22, "
An act, to incorporate the Vershire Copper Manufacturing Company,	Nov. 5, 1831.
the Bellows Falls Manufacturing Company,	" 9, "
the Weybridge Manufacturing Company,	" 9, "
the Rutland Woolen Manufacturing Company,	" 3, 1832.
the Olympus Mineral Company,	" 8, "
the Lake Dunmore Glass Company,	" 3, "
the Ascutney Manufacturing Company,	" 9, "
An act, in addition to the act incorporating the Rutland Man. Co.,	" 3, "
An act, incorporating the Bristol Iron Manufacturing Company,	" 7, 1833.
the Boston Copper Mining Company,	" 7, "
the Lowell Iron Manufacturing Company,	" 6, "
the Norwich Manufacturing Company,	" 7, "
the Springfield Manufacturing Company,	Oct. 26, "
the Winooski Manufacturing Company,	Nov. 7, "
the Barnet Cotton and Woolen Man. Co.,	" 7, "
the Otter Creek Glass Company,	Nov. 6, 1834.
the Pittsford Glass Manufacturing Company,	" 6, "
the Black River Manufacturing Company,	Oct. 28, "
the Putney Manufacturing Company,	Nov. 6, "
the Ludlow Manufacturing Company,	" 6, "
the Bennington Cotton Man. Company,	" 6, "
the Woodstock Manufacturing Company,	" 6, "
the Weathersfield Manufacturing Company,	Oct. 25, "
the Montpelier Manufacturing Company,	Nov. 6, "
the Upper Falls Manufacturing Company, in Perkinsville, Windsor county,	Oct. 25, "

TURNPIKES.

An act, in addition to an act incorporating the Windham Turnpike Company,	Oct. 31, 1825.
An act, incorporating the Warren Turnpike Company,	Nov. 17, "
An act, extending the time for completing Stratton Turnpike,	Oct. 30, 1826.
An act, to empower Strafford Turnpike Company to surrender their charter,	Nov. 4, "
Mount Tabor Turnpike Company to surrender part of their road,	" 15, "
resurvey and give time for completing Jamaica Turnpike road,	" 15, "
An act, regulating toll on Warren Turnpike,	" 10, "

	<i>Date of Acts.</i>
An act, incorporating Sherburne Turnpike Company,	Nov. 6, 1826.
Ripton Turnpike Company,	Nov. 10, 1826.
Ore Bed Turnpike Company,	" 10, "
Searsburgh Turnpike Company,	Oct. 28, 1828.
An act, authorizing the Green Mountain Turnpike Company to re-survey their road,	" 25, "
Stockbridge Turnpike Company to resurvey and regulate toll, &c. of their road,	" 30, "
Waltham Turnpike Company to surrender their road with certain reservation,	" 30, "
Bridgewater to hold stock in Sherburne Turnpike Company,	" 24, "
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An act, repealing the act incorporating the Poultney Turnpike Co.,	" 28, "
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An act, in addition to the act incorporating the Essex Bridge Co., granting David H. Sumner the right of a toll bridge, across Connecticut River,	Nov. 8, 1825.
discharging the town of Sheffield from liability for repairing, &c. certain portions of the road from Sutton to Barton,	Oct. 31, "
incorporating Sand Bar Bridge Company,	Nov. 4, 1826.
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to Israel Whitney, " "	" 17, "
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to Daniel Kenyon, " Benson,	" 6, "
to Wm. Mott, " Alburgh,	" 6, "
to J. M. Mott and } Benjamin Mott, }	" 6, "
to Wm. Mott, " "	Oct. 25, 1828.
to Elijah Loomis, " "	" 25, "
to Joel Trast and } H. Buck, }	" 22, 1829.
to John Catlin, " Bridport,	" 22, "
to Joel Frost, " Bridport,	Nov. 1, 1830.
to John Knight, " Grand Isle,	" 1, "
to Abel Phelps, " Alburgh,	" 1, "
to John Rogers, " Bridport,	" 1, "
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An act, in addition to the act incorporating the village of Montpelier,	Oct. 29, 1828.
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to revive and amend the act incorporating the borough of	
Middlebury,	Nov. 3, "
in addition to an act incorporating the village of Brattleboro',	Oct. 30, 1833.
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An act, in addition to the act establishing a Grammar School in Orleans county,	" 8, "
An act, declaring the Academy in Concord to be a county Grammar School, in Essex county,	" 17, "
An act, to incorporate the College of Natural History of the University of Vermont,	" 15, 1826.
the Columbian Academy at Windsor,	" 15, "
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the Academy at Manchester,	Oct. 28, 1829.
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the Burlington High School,	" 22, "
the Newbury High School,	Nov. 5, 1830.
An act, in addition to the act establishing the Academy at Bradford,	" 5, "
An act, incorporating a County Grammar School in Lyndon,	Nov. 9, 1831.
the Brattleborough East Village High School,	Oct. 31, 1831.
the Lamoille Academy at Johnson,	Nov. 8, 1832.
the Vermont Scientific and Literary Institution at Brandon,	Nov. 7, 1832.
the Young Gentlemen's Literary Society in Cornwall,	Oct. 29, 1832.
the Brattleborough High School Association,	Nov. 7, 1832.
the Orange County Independent Grammar School,	Nov. 7, 1833.
the Newbury Seminary,	Nov. 2, 1833.
the Norwich University, at Norwich in Windsor county,	Nov. 6, 1834.
the University Institute of the University of Vermont,	Oct. 23, 1834.
the Leland Classical and English School at Townshend,	Oct. 31, 1834.
the Troy Conference Academy,	" 25, "
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An act, to revive the act above named,	Nov. 1, 1826.
An act, authorizing the Caledonia Medical Society to control their places of meeting,	Oct. 22, 1829.

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An act, incorporating the Champlain Transportation Company,	Oct. 26, 1826.
the Grand Chapter of the State of Vermont,	Nov. 1, 1826.
the Vermont Agricultural Society,	Nov. 14, 1826.
the National Hydraulic Company for making enginery,	Oct. 29, 1829.
An act, repealing the act incorporating the Grand Chapter of the State of Vermont,	Oct. 28, 1830.
An act, to provide for removing obstructions in Nulhegan River,	Nov. 8, 1832.
An act, to incorporate the Ascutney Mill Dam Company,	Nov. 7, 1833.
An act, in alteration and amendment of the act incorporating the Champlain Transportation Company,	Nov. 6, 1833.
An act, to incorporate the Vermont Asylum for the Insane,	Nov. 3, 1834.

LAND TAXES ON TOWNS.

		<i>Date of Acts.</i>
An act, laying a tax on the lands	in Lunenburg,	Oct. 27, 1825.
	in Coventry,	" 27, "
	in Sheffield,	" 31, "
	in Holland,	" 31, "
	in Mount Tabor,	" 31, "
	in Wolcott,	Nov. 8, 1825.
	in Richford,	" 8, "
	in Northfield,	" 8, "
	in Groton and Harris' Gore,	" 8, "
	in Kellyvale, (Lowell),	" 17, "
	in Montgomery,	" 8, "
	in Highgate,	Oct. 31, 1825.
	in Victory,	Oct. 30, 1826.
	in Orange,	" 30, "
	in Maidstone,	" 31, "
	in Minehead,	" 31, "
	in Kirby,	" 31, "
	in Troy,	Nov. 8, "
	in Lemington,	" 4, "
	in Albany,	" 4, "
	in Chittenden,	" 7, "
	in Newport,	" 7, "
	in Duxbury,	" 8, "
	in Lincoln,	" 8, "
	in Stratton,	" 8, "
	in Newbury,	" 8, "
	in Mansfield,	" 9, "
	in Bristol,	" 10, "
	in Middlesex,	" 9, "
	in Jericho,	" 14, "
	in Westmore,	" 15, "
	in Worcester,	" 15, "
	in Charleston,	" 15, "
	in Walden,	" 15, "
	in Craftsbury,	" 15, "
	in Topsham,	Oct. 26, 1827.
	in Elmore,	" 26, "
	in Brownington,	" 24, "
	in Brookfield,	" 30, "
	in Parkerstown,	" 30, "
	in Newark,	" 30, "
	in Burke,	Nov. 1, 1827.
	in Sutton,	Oct. 30, 1827.
	in Salem,	" 30, "
	in Fletcher,	" 26, "
	in Morgan,	" 26, "
	in Mount Holley,	" 25, "
	in Glover,	Nov. 5, 1827.
	in Hancock,	Oct. 25, 1827.
	in Barton,	Nov. 10, 1827.
	in Hardwick,	" 10, "
	in Greensborough,	" 10, "
	in Guildhall,	" 10, "
	in Random,	" 12, "
	in Eden,	" 13, "
	in Moretown,	" 13, "
	in Fayston,	" 13, "
An act, in addition to the act laying a tax on Troy, in 1826,		" 10, "

		<i>Date of Acts.</i>
An act, laying a tax on the lands	in Fairlee,	Oct. 22, 1828.
	in Peru,	" 22, "
	in Vineyard,	" 22, "
	in Sunderland,	" 24, "
	in Kingston,	" 24, "
	in Ripton,	" 24, "
	in Goshen, annexed to Ripton,	" 27, "
	in Warren,	" 27, "
	in Coventry,	" 27, "
	in Underhill,	" 27, "
	in Random,	" 27, "
	in Mount Tabor,	" 28, "
	in Granby,	" 29, "
	in Roxbury,	" 29, "
	in Woodford,	" 29, "
An act, reviving the act laying a tax on the lands in Morgan,		" 30, "
An act, laying a tax on the lands	in Irasburgh,	" 30, "
	in Kellyvale, (Lowell),	" 30, "
	in Goshen,	" 30, "
	in Starksborough,	" 30, "
	in East Haven,	" 30, "
	in Stowe,	" 30, "
	in Essex,	" 30, "
	in Readsborough,	Oct. 20, 1829.
	in Newport,	" 23, "
	in Jay,	" 28, "
	in Newbury,	" 28, "
	in Avery's Gore,	" 28, "
	in Charleston,	" 28, "
	in Bolton,	" 28, "
	in Canaan,	" 30, "
An act, reviving an act laying a tax on the lands in Kingston, 1828,		" 26, "
An act, laying a tax on the lands	in Moretown,	Oct. 28, 1830.
	in Montgomery,	" 28, "
	in Victory,	" 30, "
	in Topsham,	Nov. 1, 1830.
	in Stamford,	" 1, "
	in Waterville,	" 1, "
	in Groton and Harris' Gore,	" 1, "
	in Stratton,	" 1, "
	in Worcester,	" 1, "
	in Troy,	" 3, "
	in Newark,	" 6, "
	in Franklin,	" 6, "
	in Westfield,	" 10, "
	in Albany,	Nov. 9, 1831.
	in Goshen and Harris' Gore,	" 8, "
	in Groton,	" 7, "
	in Wenlock,	" 3, "
	in Orange,	" 1, "
	in Roxbury,	" 1, "
	in Granby,	" 1, "
	in Sherburne,	" 1, "
	in Richford,	" 1, "
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	in Eden,	Oct. 31, 1831.
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	in Hydepark,	" 26, "

	<i>Date of Acts.</i>
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in Bolton, in 1829,	" 31, "
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An act, laying a tax on the lands in Holland,	Nov. 8, 1832.
in Ferdinand,	" 8, "
in Sterling,	" 8, "
in Brighton, late Random,	" 7, "
in Lowell,	" 7, "
in Barton,	" 3, "
in Newport,	" 3, "
in Sutton,	" 1, "
in Lemington,	" 1, "
in Concord,	" 1, "
in Topsham,	" 1, "
An act, to revive an act laying a tax on the lands in Sheldon,	" 3, "
An act, to revive an act laying a tax on the lands in Waterville,	" 3, "
An act, laying a tax on the lands in Salem,	Oct. 23, 1833.
in Belvidere,	Nov. 7, 1833.
in Mendon,	" 7, "
in Glover,	" 4, "
in Sheffield,	" 2, "
in Ripton,	" 2, "
in Mount Tabor,	Oct. 29, 1833.
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in Northfield,	" 26, "
in Westmore,	" 30, "
in Guildhall,	" 26, "
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in Wolcott,	" 24, "
in Charleston,	" 23, "
An act, to revive an act laying a tax on the lands in Lemington,	" 29, "
An act, laying a tax on the lands in Canaan,	Nov. 4, 1834.
in Brownington,	Oct. 31, 1834.
in Readsborough,	" 28, "
in Bloomfield,	Nov. 4, 1834.
in Morgan,	Oct. 23, 1834.
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in Goshen and Harris' Gore,	" 6, "
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An act, assessing a tax on the county of Orange, of one half per cent. on the dollar,	Nov. 8, 1825.
An act, assessing a tax on the county of Windsor, of four mills on the dollar,	" 8, "
An act, assessing a tax on the county of Windham, of four cents on the dollar,	" 8, "
An act, assessing a tax on the county of Washington, of five mills on the dollar,	" 14, "

	<i>Date of Acts.</i>
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An act, assessing a tax on the county of Essex, of five mills on the dollar,	Oct. 29, 1829.
An act, assessing a tax on the county of Franklin, of one cent on the dollar,	Nov. 9, 1830.
An act, assessing a tax on the county of Franklin, of three cents on the dollar,	Nov. 8, 1831.
An act, assessing a tax on the county of Washington, of one and one half cents on the dollar,	Nov. 9, 1831.
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